

## EXHIBIT 5

### DEPOSITION OF ROSE WASHINGTON- SANDERS

(Plaintiff in underlying auto liability lawsuit  
and defendant in coverage lawsuit)

taken February 25, 2010



WASHINGTON-SANDERS vs. McFADDEN  
07 L 013584

ROSE M. WASHINGTON-SANDERS  
FEBRUARY 25, 2010

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STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF COOK )

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - LAW DIVISION

ROSE M. WASHINGTON-SANDERS, )

Plaintiff, )

-vs- )

THOMAS MCFADDEN, Individually )  
and as an agent and/or employee )  
of BLUE CAB CO., INC., and )  
BLUE CAB CO., INC., an Illinois )  
Corporation, )

Defendants. )

**COPY**

No. 07 L 013584

**RECEIVED**

MAR 29 2010

**POWER ROGERS & SMITH PC**

The deposition of ROSE M. WASHINGTON-SANDERS, called by the Defendants for examination pursuant to notice and pursuant to the Code of Civil Procedure of the State of Illinois, and the Rules of the Supreme Court thereof, pertaining to the taking of depositions, for the purpose of discovery, taken before Aneesha L. Williams, Certified Shorthand Reporter, for the County of Cook and State of Illinois, at 70 West Madison Street, 55th Floor, Chicago, Illinois, commencing at the hour of 1:00 p.m. on the 25th day of February, 2010.

AROUND THE CLOCK COURT REPORTING, LLC  
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## APPEARANCES:

POWER, ROGERS & SMITH, P.C., by  
MS. CAROLYN DALEY SCOTT  
70 West Madison Street, 55th Floor  
Chicago, Illinois 60602  
(312) 236-9381

On behalf of the Plaintiff;

CONDON & COOK, by  
MR. MARK B. RUDA  
745 North Dearborn Street  
Chicago, Illinois 60654  
(312) 266-1313

On behalf of the Defendant,  
Thomas McFadden;

TRIBLER, ORPETT & MEYER, P.C., by  
MR. STEPHEN S. WEISS  
225 West Washington Street, Suite 1300  
Chicago, Illinois 60602  
(312) 201-6400

On behalf of the Defendant,  
Blue Cab Company.

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(Whereupon Sanders Deposition  
Exhibit Nos. 1-3 were marked  
for identification.)

(WHEREUPON, the witness  
was duly sworn.)

ROSE M. WASHINGTON-SANDERS,  
called as a witness herein, having been first duly  
sworn, was examined and testified as follows:

## EXAMINATION

BY MR. RUDA:

Q. Would you state your name for us,  
please?

A. Rose M. Washington-Sanders.

Q. And would you prefer that we refer to  
you as Ms. Sanders or Ms. Washington?

A. I would prefer you call me Rose.

Q. We'll call you Rose.

A. Thank you.

MR. RUDA: This is going to be the  
discovery deposition of Rose Washington-Sanders,  
for the official record, being taken in accordance  
with the Code of Civil Procedure and been set  
today by agreement of the parties.

Before we ask you any questions,

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## EXHIBITS

ROSE SANDERS DEPOSITION EXHIBIT	MARKED FOR ID
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Nos. 1-3	4
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ma'am, I just want to put on the record that we  
discussed with your counsel prior to the  
deposition that in the event we need to ask you to  
return to be deposed concerning any issues that  
might be related to medical records that we have  
yet to receive, that we have an agreement that  
you're going to be re-called to be questioned  
concerning issues that arise in the medical  
records that we haven't seen yet.

MS. SCOTT: And we agree to that, and  
it's just limited only to those medical records.

MR. RUDA: Fair enough.

MR. WEISS: Agreed.

MR. RUDA: Now, Rose, my name is Mark  
Ruda. I don't know if you've ever given a  
deposition before.

THE WITNESS: No, I have not.

MR. RUDA: We need you to give a spoken  
answer. And although we are sitting very closely  
together across this small table, if you shake  
your head and if I do, both of us are going to  
know exactly what we mean, but we need you to give  
a spoken answer to all the questions. So what I'd  
ask you to do is wait until I'm done or any of us

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1 are done asking you a question and then you  
2 respond, and I'll try to wait before you're done  
3 as well before I ask my next question.  
4 THE WITNESS: Okay.  
5 MR. RUDA: If I should ask you a  
6 question, and when I get done with it, you think  
7 to yourself you have no idea what I asked you,  
8 that's my fault, not yours. That would be a bad  
9 question. I've asked them in the past, and I am  
10 reasonably certain in the future at some point I'm  
11 going to ask another bad question. So don't be  
12 shy by telling me you don't know what I mean.  
13 THE WITNESS: Okay.  
14 BY MR. RUDA:  
15 Q. Let's get started with just some  
16 background information.  
17 Can I have your date of birth,  
18 please?  
19 A. [REDACTED]  
20 Q. And what is your Social Security  
21 number?  
22 A. [REDACTED]  
23 Q. And currently where do you reside?  
24 A. 1040 Ontario Street, Unit 2L, Oak Park,

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1 Illinois, 60302.  
2 Q. How long have you lived at that  
3 address?  
4 A. Around five years.  
5 Q. So at the time of the accident, you  
6 were living at that address?  
7 A. That is correct.  
8 Q. And just so we have it clear the time  
9 of the accident or the date this accident occurred  
10 was September 23, 2007; is that correct?  
11 A. Correct.  
12 Q. Now, can you tell me are you currently  
13 married?  
14 A. Divorced.  
15 Q. How long have you been divorced for?  
16 A. I don't know.  
17 Q. Approximately.  
18 A. Maybe seven years, eight years maybe.  
19 Q. At the time the accident occurred, back  
20 in September of 2007, you were divorced?  
21 A. Yes.  
22 Q. At the time of the accident,  
23 September 23rd of 2007, other than yourself, did  
24 anyone else reside with you at your address in

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1 Oak Park?  
2 A. No.  
3 Q. So you lived alone?  
4 A. Yes.  
5 Q. Do you have any children, ma'am?  
6 A. No.  
7 Q. Let me ask -- and I'll jump around a  
8 little bit.  
9 After the accident, did anyone come  
10 to stay or live with you to care for you, keep an  
11 eye on you after this accident?  
12 A. My friend did.  
13 Q. And what's your friend's name?  
14 A. Frances Owens.  
15 Q. Is that F-r --  
16 A. F-r-a-n-c-e-s, O-w-e-n-s.  
17 Q. And Frances Owens, what is her address?  
18 A. I don't know if I -- I don't have that.  
19 She lives in Calumet City. I can get that for  
20 you, though.  
21 Q. You can have your counsel provide that  
22 to us.  
23 A. All right.  
24 Q. And do you have a phone number or

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1 something for her that you happen to know?  
2 A. Uh-huh.  
3 MS. SCOTT: If you want, I can just  
4 provide all that information, contact information  
5 for Frances Owens.  
6 BY MR. RUDA:  
7 Q. Ms. Owens, as best you can recall, when  
8 is it that she came to stay with you after this  
9 accident?  
10 A. I was discharged from the hospital, I  
11 believe, on February 15th, and she stayed with me  
12 for about a week.  
13 Q. So February 15th of 2008?  
14 A. Yeah, it would be 2008.  
15 Q. And when she stayed with you, what sort  
16 of things did she do other than -- I'm sure she  
17 provided emotional support and that sort of thing.  
18 Did she do other things for you?  
19 A. Yes. She would help me get up off the  
20 couch because I couldn't get up by myself. She  
21 would do the dishes. She did the house cleaning.  
22 She prepared my meals for me. She basically took  
23 care of me.  
24 Q. And that was for about a week, you

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1 said?  
2 A. Uh-huh.  
3 Q. Is that a yes, ma'am?  
4 A. I'm sorry. Yes.  
5 Q. I failed to mention that an uh-huh, we  
6 know what you mean, but it is a yes or no.  
7 A. I understand it. You might have to  
8 keep telling me that, but I understand.  
9 Q. Other than Ms. Owens, did you after  
10 that point have anyone else that came in and  
11 provided care to you, whether it's a friend or  
12 relative or someone you hired to do so?  
13 A. I had a nurse, a home nurse that came  
14 in, and then also an occupational therapist.  
15 Q. They came to the house?  
16 A. Yes.  
17 Q. Just generally speaking, we will come  
18 back to that.  
19 How long was there a home nurse  
20 that would come to your apartment, over what  
21 period of time?  
22 A. I don't know exactly. Let me see.  
23 I would say at least two months.  
24 Q. And then the occupational therapist,

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1 how long did you have the occupational therapist  
2 come to the house?  
3 A. Approximately the same time.  
4 Q. Were they coming during the same  
5 two-month period?  
6 A. Yes.  
7 Q. Now, other than that first week when  
8 you returned to your house in February of 2008,  
9 did you have anyone else that would do things,  
10 such as dishes, cleaning, prepare meals, help you  
11 around the house, do day-to-day activities that  
12 you needed to do wherever you live?  
13 A. No. I'd say my friends would always --  
14 they still do. They come over and see about me  
15 and they do things for me, including Frances.  
16 She still does that. My laundry has to be done  
17 outside the house. It's an outside thing, and she  
18 comes over and she does my laundry still because I  
19 have difficulty with the steps.  
20 Q. Let me ask, other than Frances Owens  
21 doing your laundry, continuing to do so, are there  
22 any other specific things that your friends do for  
23 you, grocery shopping or whatever it might be?  
24 A. No. I can do that. No. I would say

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1 not. Not at this time.  
2 Q. And when you said that your friends  
3 will come over and check on you and maybe help you  
4 with things, do you mean they were visiting, and  
5 if you need to get a box off a shelf or something,  
6 they might do it if you can't do it?  
7 A. Correct.  
8 Q. So it's not a regular --  
9 A. No, it is not at this point.  
10 Q. Going back then to just some background  
11 information.  
12 At the time of the accident, you  
13 were employed. Where did you work?  
14 A. American College of Surgeons.  
15 Q. Just down on --  
16 A. 633 North Saint Claire.  
17 Q. And how long had you worked there?  
18 When did you start there, in other words?  
19 A. '91.  
20 Q. And what was your job position or title  
21 back at the time of the accident?  
22 A. Convention services coordinator.  
23 Q. Now, do you still work there?  
24 A. Yes, I do.

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1 Q. Do you still hold the same position?  
2 A. Yes, I do.  
3 Q. Tell me -- and it doesn't have to be  
4 long, but tell me briefly what does your job  
5 involve. What sort of things do you do?  
6 A. I mainly work with exhibitors, and when  
7 their applications come in for exhibiting, I  
8 process them, give them to my manager for book  
9 assignments. It comes back to me, and I do the  
10 financials and make sure all the contact  
11 information is -- that all the financial  
12 information is done. I keep in contact with  
13 exhibitors. I send out invoices. I just  
14 basically keep up with the exhibitors, and then on  
15 site I supervise the registration area and make  
16 sure that the booths are okay and all that kind of  
17 stuff.  
18 Q. And are the job duties you have now the  
19 same as you had before the accident, or are they  
20 any different?  
21 A. I don't do as much as I did prior to  
22 the accident.  
23 Q. Now, before the accident, were you a  
24 full-time employee at the American College of

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1 Surgeons?  
2 A. Yes.  
3 Q. How about right now, are you a  
4 full-time employee?  
5 A. Yes, I am.  
6 Q. For how long a period of time was it  
7 that you were unable to work after the accident?  
8 Do you recall?  
9 MS. SCOTT: You're talking full-time or  
10 just in general?  
11 MR. RUDA: Just couldn't work period  
12 after the accident.  
13 BY MR. RUDA:  
14 Q. How long were you out of commission, in  
15 other words, and unable to do any work?  
16 A. Until April of 2008, and I did a few  
17 hours at home beginning in April and I did not go  
18 back to work until June.  
19 Q. June of '08?  
20 A. Right, and that was like two days a  
21 week I started out, and then it gradually  
22 increased.  
23 Q. Let me ask, in terms of being off of  
24 work until April, was that under the direction of

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1 A. Well, I increased it to three, and then  
2 from three days I went to five days a week. And I  
3 would say that by August, September, I was up to  
4 five days a week.  
5 Q. So August, September of 2008 then you  
6 were back to full-time?  
7 A. Correct.  
8 Q. Now, you mentioned earlier that what's  
9 different about how you work now versus before the  
10 accident is you don't work as much.  
11 How do you quantify --  
12 A. No, I don't mean -- Well, if you  
13 understood me to say I don't have as much to do.  
14 Q. You mean your duties are different?  
15 A. I do the same thing, but it's not as  
16 intense or involved as I was doing before.  
17 For example, when I say I worked on site, I cannot  
18 stand as long as I used to be able to. I cannot  
19 walk through the exhibits as I used to be able to.  
20 I have to have someone transport me because I  
21 cannot stay on my feet as long as I used to.  
22 I drive to work every day. They  
23 have provided me parking because I cannot walk,  
24 like, taking public transportation. I can walk

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1 your doctor or doctors?  
2 A. Yes, it was.  
3 Q. And then returning to do some work at  
4 home, some at-home assignments, did your doctors  
5 okay you to do it that, or did you do that on your  
6 own?  
7 A. Yes, they did.  
8 Q. And how about back in June when you  
9 returned two days a week, was that pursuant to  
10 your doctor's orders?  
11 A. Correct.  
12 Q. Now, when you went back to two days  
13 week, was that at your office back at the location  
14 on  
15 Saint Claire?  
16 A. Correct.  
17 Q. How long did you work two days a week  
18 for? How long did that go on for?  
19 A. I can't remember.  
20 Q. Do you know, generally speaking, was it  
21 5 months, 10 months, a year?  
22 A. I would say it was probably two months.  
23 Q. And then after two months, how much  
24 more time did you start to work during --

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1 maybe a block and a half now, and I'm looking  
2 forward to that getting better, but right now  
3 that's where I'm at.  
4 Q. Now, prior to the accident of September  
5 of 2007, what was your compensation? Were you  
6 salaried, hourly? What was your structure at that  
7 time?  
8 A. It's the same as it is now. And what  
9 is that? Salaried.  
10 Q. Now, at the time of the accident, do  
11 you recall what your salary was, yearly salary?  
12 A. No, I do not. Excuse me. And I need  
13 to tell you that I don't look at things like that,  
14 so I can't tell you, but I can find out. Is that  
15 something you need to know?  
16 MS. SCOTT: I think you have her tax  
17 returns.  
18 MR. RUDA: We do.  
19 THE WITNESS: Then that would tell you.  
20 BY MR. RUDA:  
21 Q. How about now? I mean, what's your  
22 yearly salary right now?  
23 A. I think it's the same.  
24 MR. WEISS: Same as before the

5 (Pages 14 to 17)

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1 accident?  
2 THE WITNESS: Well, maybe I got a  
3 general increase, whatever you call that --  
4 MS. SCOTT: Cost of living.  
5 THE WITNESS: Cost of living. It  
6 wouldn't have been over two percent, if I did.  
7 BY MR. RUDA:  
8 Q. Is that what your employer does? Do  
9 they every year give a cost of living, or does it  
10 depend on --  
11 A. It depends on your evaluations and  
12 those kinds of things. In fact, the last  
13 evaluation I didn't get an increase.  
14 Q. Why don't I hand you to what's been  
15 marked as Sanders Deposition Exhibit 1. These are  
16 your answers to interrogatories. Just take a look  
17 at them and look at the last page and make sure  
18 that these are yours. I'm sure they are. And, in  
19 particular, I wanted you to look at the answer to  
20 No. 8. But just look over the whole thing first  
21 and let me know when you're done.  
22 A. Sure.  
23 Q. When you're done, let me know, and I'll  
24 ask you just a quick question.

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1 A. Am I looking at the right thing? Where  
2 am I supposed to look?  
3 Q. I think the question was No. 8. Let me  
4 know when you're done.  
5 My question is: Are these your  
6 answers to interrogatories? The very last page  
7 has your signature on it, if you don't recall  
8 seeing it before?  
9 A. Yes. This is true. It was true at the  
10 time that I wrote this, yes.  
11 Q. So does that help you recall what your  
12 annual salary was at the time, ma'am? The answer  
13 to No. 8 asks about --  
14 A. Well, it says "salary at the time of  
15 the occurrence, approximately 42,000 a year."  
16 Q. And I was going to hand to you also  
17 Exhibit 2 and 3, which are '06 and '07 tax  
18 returns. Can you take a look at those real  
19 quickly?  
20 Exhibit No. 2, which is the '06 tax  
21 return, is that your tax return for the year 2006?  
22 A. Uh-huh.  
23 Q. Is that a yes?  
24 A. Yes.

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1 Q. And Exhibit No. 3, is that your tax  
2 return for the year 2007?  
3 A. Yes.  
4 Q. And the tax returns reflect the income  
5 that you generated, which appears to be a hundred  
6 percent from working at the American College of  
7 Surgeons?  
8 A. Correct.  
9 Q. Now, let me ask you, in years  
10 subsequent, you know -- Let's just talk about  
11 2008, was your salary basically the same, or was  
12 it any less or any more than what you earned in  
13 the years 2006 and 2007? Pardon me. Strike that.  
14 Compound question.  
15 In 2008, do you know what your  
16 income was from American College of Surgeons?  
17 A. To be accurate, I would need to get the  
18 information to you.  
19 Q. Let me ask generally speaking.  
20 A. You want 2008?  
21 Q. Let me ask you a couple questions.  
22 Generally speaking, would it be the  
23 same as what your income was in 2007?  
24 A. As far as I know, 2007, I would -- I

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1 don't think 2007, which are -- You're talking  
2 about 2008?  
3 Q. Yes, the year afterwards.  
4 So, you know, the year that you  
5 were rehabbing from the accident and you only  
6 worked part-time.  
7 A. I don't think it was that.  
8 Q. Okay. We will --  
9 A. I do not think it was the 45,000, no.  
10 MR. RUDA: We would like to get a copy  
11 of the 2008 tax return.  
12 MS. SCOTT: That's fine.  
13 BY MR. RUDA:  
14 Q. How about this tax return that's due in  
15 April of this year? Have you filed the 2009 tax  
16 return yet, ma'am?  
17 A. No.  
18 Q. Do you have the W-2 forms from your  
19 employer, W-2 form that you received from the  
20 American College of Surgeons?  
21 A. I do.  
22 Q. Do you know what your income was this  
23 year, in the year 200- --  
24 A. I have not looked at it. I haven't

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1 even opened it.  
2 MS. SCOTT: When you say this year --  
3 MR. RUDA: I mean this year's tax  
4 return, which is last year.  
5 BY MR. RUDA:  
6 Q. So would you provide your 2009 W-2 form  
7 to your attorney and you can send it to us. And  
8 when you file the tax return, I suppose you should  
9 do that, too. Just send her the W-2 forms now, if  
10 you would be so kind.  
11 A. Uh-huh.  
12 Q. Now, in regard to the year 2008, can  
13 you tell me generally -- it looks like -- I'm just  
14 going to round the numbers. It looks like you  
15 make between \$41,500 and \$42,000 a year, according  
16 to the tax return that you have provided.  
17 Do you know how much less money you  
18 made in 2008? Was it 50 percent of that, or do  
19 you have any idea, ma'am?  
20 I am asking you to speculate, but I  
21 am asking it based upon what you recall, as best  
22 you know.  
23 MS. SCOTT: I'm going to object. We've  
24 gone over this, asked and answered. Yeah, I don't

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1 think -- Do you really want her to guess on an  
2 answer? I don't think that -- I mean, I don't  
3 want my client just guessing and speculating.  
4 You know, if she knows, she knows. If she doesn't  
5 know, we're going to get you the tax returns and  
6 you will get your answer then.  
7 MR. RUDA: She can answer the question  
8 as it stands.  
9 THE WITNESS: Ask it again, please.  
10 BY MR. RUDA:  
11 Q. My question is: You were in between  
12 \$41,500 and about \$42,000 a year in 2006, 2007.  
13 In 2008, you said you've earned less money than  
14 that.  
15 I was asking you to tell me, as  
16 best you can recall, based upon what you recall,  
17 when you filed tax returns for that year, how much  
18 less you earned? And you can tell me  
19 percentage-wise if you want to, you know,  
20 50 percent less.  
21 I'm just asking again --  
22 A. Okay. I'm guessing, if my memory  
23 serves me right, and I'm not sure about this, but  
24 I think it was 34, I believe, and I will look at

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1 that when I go home.  
2 Q. Thank you, ma'am.  
3 Now, in terms of your current  
4 employment, do you have any plans at this point to  
5 retire, any specific plans at this point?  
6 A. No, but I am 62.  
7 Q. That's why I asked specific plans.  
8 Some day you'd like to retire, I  
9 take it?  
10 A. Yes, some day I would like to. I was  
11 just thinking about it. I probably can't do it.  
12 I won't be able to retire so I can take care of  
13 myself.  
14 Q. Now, in regard to the answers to  
15 interrogatories, if I can just look at them real  
16 quickly.  
17 A. Certainly.  
18 Q. In the answers, you had indicated some  
19 persons that have basically knowledge of the  
20 event, the accident, or your injuries, and the  
21 first person is Sherlynn Reid. It's  
22 S-h-e-r-l-y-n-n, and Reid is R-e-i-d.  
23 First, just generally speaking,  
24 what does Ms. Reid know about? Is it the

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1 accident, or is it your injuries or your rehab?  
2 What things does she know about?  
3 A. Sherlynn and Frances -- Frances was  
4 first to be at the hospital because, according to  
5 the paramedics, she was the last person that I had  
6 spoken with, so they notified her. And then  
7 Frances notified Sherlynn, and they both were at  
8 the hospital when I arrived.  
9 Q. So that's the date of the accident?  
10 A. Correct.  
11 Q. So they know about you in the hospital  
12 and the things that happened that day?  
13 A. Correct.  
14 Q. Do they know about other things as  
15 well, ma'am, concerning --  
16 A. What other things?  
17 Q. Well, your injuries or damages as a  
18 result of the accident.  
19 A. They saw me in the hospital, so they  
20 are aware of what happened to me, yes.  
21 Q. Did they visit you while you were in  
22 the hospital during that period of time?  
23 A. Yes, they did.  
24 Q. Not just once.

7 (Pages 22 to 25)



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1 A. Pretty much every day.  
2 Q. What about William Montell Washington?  
3 I take it that's your --  
4 A. That is my brother.  
5 Q. What does Mr. Washington know about --  
6 And, again, I'm asking questions because it is the  
7 context of how the answers are phrased and the  
8 questions were phrased.  
9 Does Mr. Montell Washington, what  
10 does he know, just generally speaking, about the  
11 facts of the occurrence or your injuries and  
12 damages you're claiming because of the occurrence?  
13 I'm assuming he was probably not  
14 there when you had the accident?  
15 A. No, he was not, but he was there the  
16 next day.  
17 Q. So he came to see you in the hospital  
18 then?  
19 A. Yes.  
20 Q. So how long a period of time was your  
21 brother, Mr. Washington, in Chicago visiting you  
22 in the hospital?  
23 A. He came approximately three to four  
24 times. He lives in Washington D.C., and the times

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1 that he would come, he stayed three to five days.  
2 Q. So did he return more than once to  
3 visit you?  
4 A. Yes, he did.  
5 Q. So over what period of time did that  
6 happen?  
7 A. I would say from September to February.  
8 Q. So how many times did he come into town  
9 to visit you?  
10 A. Three to four times.  
11 Q. Did he ever return after you were back  
12 at home and either visit you once you were back at  
13 home in, I think you said, February of 2008?  
14 A. No. I went to see him.  
15 Q. When did you go to see him?  
16 A. Christmas.  
17 Q. Of which year, ma'am?  
18 A. Probably 2008 and 2009.  
19 Q. Before the accident, would you go visit  
20 him at Christmas time? Did you have a regular  
21 schedule for the holidays that you'd been doing  
22 for years?  
23 A. Usually, we would meet at home, and  
24 then when my family -- mom and dad passed, then

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1 I'd go with him. I'd go wherever he was.  
2 Q. So how long had that been -- I know you  
3 said you did it in '08 and '09.  
4 You weren't able to do it obviously  
5 in '07. You were in the hospital.  
6 A. They came to see me in the hospital.  
7 Q. What year did it start where you would  
8 visit your brother wherever he was?  
9 A. Well, I would say my mom died -- When  
10 was the last time I was in -- I don't know how  
11 long she has been gone. When did it start that I  
12 would go to my brother's? I always went to my  
13 brother's, really, for Christmas even when I was  
14 married.  
15 Q. So this is for years and years?  
16 A. Yeah.  
17 Q. Let me ask you --  
18 A. Or we would have -- Growing up, there  
19 were five members in my father's family that we  
20 rotated.  
21 Q. Houses that you would visit for the  
22 holidays?  
23 A. Yes, we would rotate with the brothers  
24 and sisters, and then it got to be just me

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1 going -- When the brothers and sisters died, then  
2 I would go home and be with my mother, and from  
3 there when my mother died, then I would go with my  
4 brother.  
5 Q. Are you the only one here in Chicago?  
6 A. Uh-huh.  
7 Q. And that's a yes?  
8 A. I'm sorry. Yes, that is true.  
9 Q. Now, generally speaking, you talked  
10 about work, how you can't work as intensely or as  
11 hard, can't stand up as long, that sort of thing.  
12 A. I said I don't have the stamina that I  
13 had before. That's basically it. My mind is very  
14 good.  
15 Q. Other than that, are there things that  
16 you used to do before this accident that you no  
17 longer do? Any activities or things that you used  
18 to be able to do?  
19 A. Well, I like to dance, and right now I  
20 cannot do that. A little bit of chair dancing.  
21 Let's see. I did like playing volleyball -- not  
22 basketball -- volleyball, badminton. Anything  
23 that involves riding my bike, anything that  
24 involves using my legs I have not been able to do

8 (Pages 26 to 29)

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1 that.  
2 Q. In terms of riding a bike, did you used  
3 to regularly ride a bike before the accident?  
4 A. No, it was not regular. It was  
5 periodic, and I do have a bike.  
6 Q. How frequently did you ride your bike?  
7 A. I would say maybe once a month, twice a  
8 month.  
9 Q. And then badminton, you mentioned.  
10 A. Well, I did play that, and I played  
11 racketball at the Y and at the Gottlieb Health  
12 Club that I belonged to. I don't belong to that  
13 now. I belong to FCC.  
14 Q. And then before the accident, how  
15 frequently would you play badminton? Let's say,  
16 during a month, how often would you play?  
17 A. I would say maybe three to five times.  
18 Q. And how about racketball? How  
19 frequently did you play before the accident?  
20 A. Once or twice a week.  
21 Q. And volleyball, how frequently did you  
22 play that before the accident?  
23 A. That's not that often, just when I go  
24 out with friends.

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1 Q. So a couple times a year?  
2 A. You need an answer. Let's say five  
3 times a year.  
4 Q. Was this, you know, at the Y if they  
5 had the volleyball net up, and you'd just kind of  
6 goof around?  
7 A. Yes.  
8 Q. How about dancing? Before the  
9 accident, how frequently would you dance?  
10 A. Well, when I was married, we would go  
11 out every week and dance at least twice, one to  
12 two times a week. And then after that, after on  
13 my own, I would go out maybe once, twice a month.  
14 Q. And where would you go dancing?  
15 A. It's called the Taste, which is on,  
16 like, 63rd and something -- I don't know. It's on  
17 the South Side.  
18 Q. In Chicago?  
19 A. Yes. And really some of the  
20 organizations that I'm in when we have what are  
21 called stepper's sets or something like that, I  
22 would dance at those, too, if someone would ask me  
23 to dance. Otherwise, I'd dance with ladies.  
24 Q. You weren't taking a dance class?

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1 A. No, no. Yeah, I thought that I would  
2 really like do that because we have line dancing,  
3 and I used to do -- I like doing that, too, but I  
4 will, but not right now.  
5 Q. So before the accident, you used to  
6 dance, occasionally play volleyball, badminton,  
7 ride a bike occasionally, racketball regularly.  
8 Can you not do any of those  
9 activities now or --  
10 A. As I said, I can dance just a little.  
11 It's the stamina, once again, and it's the ankle,  
12 and the thighs, too. They give out, they cramp.  
13 So I can't maintain the stamina, as I said.  
14 That's how I can...  
15 Q. So is it painful, or is it more just  
16 you don't have the endurance, as you said, the  
17 stamina?  
18 A. Sometimes it's painful, and I do get  
19 cramps, even sometimes laying in bed.  
20 Q. In regard to the accident, let's kind  
21 of direct our attention to the day of the  
22 accident. We all know you were in a cab.  
23 Where is it you were picked up?  
24 At what location?

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1 A. Midway Airport.  
2 Q. Had you flown in from somewhere?  
3 A. From Little Rock, Arkansas.  
4 Q. And what was the purpose of the visit  
5 to Little Rock?  
6 A. My nephew, great nephew, probably -- I  
7 don't know -- birthday. It was a birthday.  
8 Q. And what time of day was it that you  
9 were picked up at Midway?  
10 A. It was afternoon. I believe around  
11 2:00 or so.  
12 Q. And did you call someone and have a cab  
13 come, or did you just walk out and see somebody  
14 and they grabbed you?  
15 A. No, I called Blue Cab, which is located  
16 in Oak Park.  
17 Q. And why did you call Blue Cab?  
18 A. Which is located in Oak Park.  
19 Q. So you know that they're there?  
20 A. Yes.  
21 Q. Had you used Blue Cab before?  
22 A. Yes, I had for travel.  
23 Q. You mean to and from the airport kind  
24 of thing or other things as well?

9 (Pages 30 to 33)

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1 A. Yeah, that's right, just travel,  
2 airport.  
3 Q. Now, the driver of the cab at the time  
4 of the accident was Thomas McFadden.  
5 Had you ever ridden with  
6 Mr. McFadden before the day of the accident?  
7 A. No, and it's nice to know his name.  
8 Q. And the driver of the cab, did you know  
9 him before the accident? Did you ever meet him,  
10 see him, know him? He wasn't your next door  
11 neighbor, something like that?  
12 A. No.  
13 Q. So let's kind of run through it then.  
14 So you called Blue Cab, asked for a  
15 cab; is that correct?  
16 A. Yes.  
17 Q. So you were picked up at Midway?  
18 A. Yes.  
19 Q. Midway is pretty small.  
20 Is it in the area where taxi cabs  
21 pick people up or a specific terminal? Where was  
22 it that you were picked up at?  
23 A. Well, I was flying Southwest, so it  
24 would be the pick up for Southwest, whatever

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1 terminal, you know, whatever area that is.  
2 Q. When the cab arrived, did you have  
3 luggage?  
4 A. I did.  
5 Q. Who put the luggage in the cab, if you  
6 recall?  
7 A. I don't recall.  
8 Q. Do you know was the luggage in the  
9 trunk, or was it in the back of the cab with you?  
10 A. It was in the trunk.  
11 Q. Now, when the cab arrived, pulled up,  
12 and you realized it was for you, did you have any  
13 conversation with the cab driver at all?  
14 A. No.  
15 Q. He didn't speak to you? He didn't --  
16 A. Oh, conversation being he said --  
17 Well, I knew the cab number, because that's what  
18 Blue Cab does, they give you a cab number that's  
19 going to pick you up so that you know what's  
20 coming, and the conversation being I told him  
21 where I was going.  
22 Q. So when the cab is approaching --  
23 A. Like maybe hello or --  
24 Q. I'll ask you to run through it.

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1 Did you see the cab approaching,  
2 did you know, or did you just see it stopped and  
3 you saw the number? Just kind of run me through  
4 the sequence as best you can recall now.  
5 A. I was standing out in the waiting area,  
6 and I saw the cab pull up. It's a blue and white  
7 cab, and then I saw the number on it, so I knew it  
8 was for me.  
9 Q. Is there a name on the cab?  
10 A. It says Blue Cab.  
11 Q. So you saw it. I take it you  
12 approached the cab then?  
13 A. I probably did something like that to  
14 let him know that it's me (indicating). I did a  
15 hand wave.  
16 Q. Now, do you recall speaking to the cab  
17 driver at all or him saying anything to you? Not  
18 what you assume happened, but --  
19 A. When?  
20 Q. Initially, when the cab pulled up.  
21 After your gesture and the cab driver knew it was  
22 you that he was supposed to pick up, did you have  
23 any conversation with him of any kind?  
24 A. I don't recall that.

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1 Q. In terms of where you were going to,  
2 what was your destination?  
3 A. 1040 Ontario.  
4 Q. So you were going home?  
5 A. Yes.  
6 Q. Now, do you recall having any  
7 conversation with the cab driver concerning  
8 telling him where you wanted to go or him saying  
9 "Where are you going, ma'am?" Something like  
10 that?  
11 A. What I recall is telling him that "I'm  
12 going to 1040 Ontario." I would think that he  
13 acknowledged what I said. We really didn't have a  
14 conversation at that point.  
15 Q. At any time prior to the accident while  
16 you were inside the cab, was there any  
17 conversation between you and the driver,  
18 Mr. McFadden? And as best as you recall, was  
19 there any --  
20 A. I know we did talk, but I really don't  
21 remember the conversation.  
22 Q. Now, the driver of the cab, can you  
23 describe him at all? Do you remember what he  
24 looked like?

10 (Pages 34 to 37)

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1 A. What I recall is that he -- He's tall,  
2 average size, and I would say that he would be --  
3 I think he had salt and pepper hair, I believe,  
4 and I would think that he would probably be in his  
5 maybe 60s and he is white and that's about it.  
6 Q. When you conversed with him, did you  
7 notice anything unusual about the manner in which  
8 he conversed with you?  
9 A. No.  
10 Q. And, again, you remember some sort of  
11 conversation, but you don't really remember what  
12 it was about and who said what; is that correct?  
13 A. I would say part of the conversation,  
14 probably one part of it had to do with because he  
15 did not take the expressway. He took the streets,  
16 and we talked about why he took the streets.  
17 You know, it was better traffic-wise traveling,  
18 and that's basically all I remember, but I know we  
19 did have some kind of conversation.  
20 Q. Now, after you were picked up inside  
21 the cab and the cab departed from Midway, what  
22 route was taken?  
23 A. I don't recall that. It's possible  
24 that he went down -- What is that? Cicero to --

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1 No, no.  
2 MS. SCOTT: If you don't know, I don't  
3 want you to guess.  
4 THE WITNESS: I don't know. We were on  
5 the streets. I don't know.  
6 BY MR. RUDA:  
7 Q. At some point, do you know the name of  
8 the street you were on before the accident? At  
9 some point can you pick up the route for me, you  
10 know, where you got to at the point of the  
11 accident?  
12 A. No.  
13 Q. Do you know what street you were on  
14 immediately before the accident occurred?  
15 A. No, I don't. I thought I did, but, no,  
16 I don't, because -- I think it was Roosevelt, but  
17 I don't really remember.  
18 Q. Before you gave your deposition today,  
19 did you look at documents or answers to  
20 interrogatories?  
21 A. I sure didn't.  
22 Q. Did you look at police reports or  
23 anything?  
24 A. I have not looked at a thing.

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1 Q. Now, can you describe to me as -- and I  
2 think you were on Roosevelt Road from what I can  
3 tell, but I wasn't there, so I don't know.  
4 But can you tell me as you're  
5 driving along this road, whatever road it was, did  
6 you see or notice anything unusual before the  
7 accident took place?  
8 A. I did.  
9 Q. Could you tell me what you saw?  
10 A. I saw Mr. McFadden.  
11 Q. The driver?  
12 A. The driver. I saw the driver. He was  
13 kind of pushed back in the seat and leaning to the  
14 right a bit, and I did ask him if he was all  
15 right.  
16 Q. Was that a different position than he  
17 had been at some point?  
18 A. Yes, it was. He was sitting straight  
19 in the seat before as a driver does.  
20 Q. So he was pushed back in the seat and  
21 leaning?  
22 A. Sort of pushed back like this. He was  
23 sitting back like this (indicating).  
24 Q. So you asked the driver, you know --

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1 A. I asked him if he was all right.  
2 Q. Did you receive a response to that  
3 question?  
4 A. No, I did not. I received a physical  
5 response.  
6 Q. And what was that?  
7 A. He quickly turned around and looked at  
8 me from the right. He looked around at me like  
9 this and went back like that (indicating).  
10 Q. Okay. And can you tell me what is it  
11 about him leaning to the right and sort of pushing  
12 back that you thought was unusual?  
13 A. Because he was not -- I just wondered  
14 what was wrong because he was not sitting like a  
15 driver does.  
16 Q. Could you tell where his hands were at  
17 that point? Were they on the wheel or somewhere  
18 else?  
19 A. He had his hands on the steering wheel.  
20 Q. So after you asked this question and he  
21 turned around quickly and looked at you, did he  
22 look back forward again?  
23 A. Yes, he did.  
24 Q. Did you notice anything unusual or out

11 (Pages 38 to 41)

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1 of the ordinary, as far as you were concerned, at  
2 any time after that up until when the accident  
3 happened, the collision occurred?  
4 A. I think also I saw his right leg go up,  
5 and I thought, okay, he is going to put his foot  
6 on the brake and we are going to stop, and instead  
7 of that, the foot went on the accelerator. And  
8 then it's interesting time-wise that I had time to  
9 see all this, but I did, that I said, okay, we're  
10 getting out of control and there is nothing I can  
11 do about this, so...  
12 Q. Let's go through it real quickly.  
13 So you said, "Hey, are you all  
14 right?" And then he turns around and looks at you  
15 and looks back forward again.  
16 When was it that you saw his right  
17 leg go up?  
18 A. That was the sequence. I would say  
19 that it happened almost immediately.  
20 Q. So you ask him the question, he looked  
21 back, and his right leg goes up and quickly it  
22 happens?  
23 A. I really believe so.  
24 Q. So there's no time lag in between?

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1 A. No, I don't recall a time lag. It just  
2 happened.  
3 Q. And after you saw his right leg go up,  
4 then you said his foot was on the accelerator.  
5 Did you see it on the accelerator,  
6 or did you feel the car accelerate?  
7 A. I felt the car -- the taxi accelerate.  
8 Q. And did that, again, happen just  
9 immediately after you saw his right leg go up?  
10 Did the acceleration begin in a quick sequence, as  
11 you said, or --  
12 A. I don't know the time frame, but there  
13 was time there that I saw and felt what was  
14 happening, and it was like it was just one thing  
15 after another. I don't know how I can put a  
16 time -- I mean, it happened quickly, but I could  
17 observe it.  
18 Q. In terms of where you were sitting in  
19 the cab, where were you sitting?  
20 A. I was sitting on the passenger side in  
21 the back seat.  
22 Q. And what sort of divider or thing  
23 separating you --  
24 A. Well, it would be the two seats. There

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1 was no -- what do you call that? Plastic or  
2 whatever. That was not up there.  
3 Q. So it was as if you were sitting in  
4 an --  
5 A. A regular car.  
6 MS. SCOTT: Wait for him to completely  
7 finish his question.  
8 THE WITNESS: Oh, yes. I'm sorry.  
9 BY MR. RUDA:  
10 Q. So in the front seat, were there two  
11 seats and then space in between for an arm rest or  
12 something like that?  
13 A. Correct.  
14 Q. Is that why you could see his leg move  
15 where you were sitting?  
16 A. That is correct.  
17 Q. I take it from where you were sitting  
18 and where he was driving, it was, as we used to  
19 say in the old days, kitty corner. That is an  
20 angle to your left.  
21 I'll give you my positioning of  
22 hands. He was here, you were here, and you could  
23 see him because it was open in the middle?  
24 A. That is correct.

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1 Q. When you say you saw his leg go up,  
2 could you describe more specifically what you  
3 mean?  
4 A. I would say that it went higher than --  
5 When you look at a person driving, their knee is  
6 extended a bit, and for his knee to go up, it was  
7 bent more. I don't know if that explains it, but  
8 it was just lifted. It lifted a bit. The leg  
9 lifted a bit. It was a lift that I could see  
10 distance-wise.  
11 Q. Was it the knee that you saw lift up?  
12 Was it his foot that you saw lift up?  
13 A. I did not see the foot. I saw -- And I  
14 said leg, I would say the thigh and the knee, and  
15 which the calf and the foot is connected.  
16 Q. And again, just so we're clear, from  
17 when you saw the thigh and the knee lift up, as  
18 you've described it, until you felt the car  
19 accelerating?  
20 A. Right, because I thought that he was  
21 getting ready to put the brake on.  
22 Q. How much time went by?  
23 A. I cannot tell you.  
24 Q. So was it quick, or was it

12 (Pages 42 to 45)

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1 five seconds? Because five seconds is actually a  
2 very long time, if you're just sitting in a car.  
3 So I'm asking if you can tell at  
4 all how much time it was?  
5 A. As I said, I had time to observe it.  
6 So I don't know. You judge time. I know I -- I  
7 don't know. I can't answer that.  
8 Q. Before you saw the leg move up, the  
9 right leg go up in the air, what would you say the  
10 speed was the taxi was traveling at?  
11 A. I cannot -- I don't know.  
12 Q. Do you know what the speed limit was on  
13 the street?  
14 A. No, I don't, but I would think it would  
15 be 30. I don't know.  
16 Q. After you saw the leg go up and you  
17 said you felt the car begin to accelerate, how  
18 would you describe the force of the acceleration?  
19 In your own words, describe it to me as best you  
20 can.  
21 A. It was enough that I knew something was  
22 going to happen.  
23 Q. What do you mean by that, that you knew  
24 something was going to happen?

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1 A. Because the acceleration was such  
2 that -- It was just inappropriate acceleration as  
3 far as riding in a cab, and I saw -- He still had  
4 his hands on the steering wheel, but I saw the cab  
5 going towards the pole and he started -- I saw the  
6 losing of control start to happen.  
7 Q. And I know this may be difficult for  
8 you, and I apologize.  
9 A. That's all right. I'll start crying  
10 and I won't cut you off, but it's emotional for  
11 me.  
12 Q. And if you need a break, let us know.  
13 A. Okay.  
14 Q. How much time would you say went by  
15 between when you felt the acceleration begin until  
16 the impact occurred?  
17 A. I can't judge time. I don't know.  
18 Q. How about --  
19 A. I'll say six seconds. I don't know.  
20 Q. At the time of impact, do you know what  
21 the speed of the taxi cab was?  
22 A. No, I don't.  
23 Q. You mentioned that there was contact  
24 with a pole.

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1 What kind of pole was it, ma'am?  
2 How would you describe it?  
3 A. I believe it was one of those poles --  
4 a light pole, I think, that was, like, beige  
5 and -- Does it have speckles in it or something?  
6 Q. A street lamp?  
7 A. Street lamp, light pole.  
8 Q. Now, you mentioned before that when the  
9 vehicle started to accelerate, his hands were on  
10 the wheel, and then you saw the vehicle going  
11 toward the pole; is that correct?  
12 A. I'm sorry. Yes, it is correct.  
13 Q. Do you know how many lanes of traffic  
14 there were on the road that you were traveling on  
15 before any of these things occurred?  
16 A. No.  
17 Q. One lane? Two lanes?  
18 A. No. I think there were two lanes.  
19 I think there were two lanes, but we were -- I do  
20 recall that we were in the -- What do you call  
21 that? The inside lane. Next to the street, next  
22 to the sidewalk.  
23 Q. Closest to the curb?  
24 A. Yeah.

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1 Q. Were there any other cars or vehicles  
2 around you, let's say, before his leg lifted up,  
3 the right leg lifted up?  
4 A. I don't know.  
5 Q. Now, from the time period that you felt  
6 the car accelerate until there was the impact with  
7 the pole and the vehicle, did the car ever slow  
8 down?  
9 A. Well, I don't know that. I would think  
10 it slowed down when it hit the light pole.  
11 Q. Well, before it hit, I'm asking if you  
12 felt the vehicle slow down at all?  
13 A. No, I did not.  
14 Q. Were you looking at what the driver was  
15 doing, applying his brake, or accelerator at that  
16 point?  
17 A. No, I was not.  
18 Q. What were you looking at once you felt  
19 the acceleration and you saw the vehicle start to  
20 go towards the pole? What were you looking at at  
21 that point?  
22 A. I was looking straight ahead, I  
23 believe, because I sat back in the seat and  
24 relaxed and said, "God, this is yours."

13 (Pages 46 to 49)

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1 Q. Did you have your seatbelt on at the  
2 time?  
3 A. No, I did not.  
4 Q. Now, describe to me as best you can --  
5 and, again, I know this is difficult, but the  
6 force of the impact, how would you describe it in  
7 your own words to us?  
8 A. I can only tell you what happened to  
9 me. I went head first -- at least I think I did.  
10 That's what I felt, head first. My head hit the  
11 rearview mirror, and then I came back and ended up  
12 on the floor.  
13 Q. The floor in the rear --  
14 A. The floor in the rear of the taxi cab.  
15 Q. And you said -- at least you think your  
16 head hit the mirror.  
17 Why do you say you think? Do you  
18 recall that, or somebody told you that later?  
19 A. No, because I felt it. I felt  
20 something hit my head, and all I know is that it  
21 had to be the rearview mirror.  
22 Q. Now, at the time of impact, did you  
23 hear any noises, and, if so, what were they?  
24 A. I didn't hear any noises.

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1 Q. Did air bags deploy in the vehicle; do  
2 you know?  
3 A. The air bag deployed on the driver's  
4 side, and I was aware of that. I saw it.  
5 Q. Can you tell me, if you know, did you  
6 lose consciousness, if you know, after the impact  
7 occurred?  
8 A. In the car, no, I did not.  
9 Q. Now, immediately after the impact took  
10 place, tell me how you felt emotionally, as well  
11 as physically? And you can start either way you  
12 want to tell me.  
13 A. Well, first of all, I thought how did I  
14 get on the floor, because I'm tall and I'm a large  
15 woman and I thought it was interesting that I was  
16 sitting on the floor, and then the cab driver  
17 asked me if I could open his seatbelt and I said  
18 sure. I could not move my arms to open his  
19 seatbelt, and I told him I was sorry, but it  
20 didn't register with me that I couldn't move my  
21 arm.  
22 Q. Were your arms giving you pain or  
23 discomfort at that point?  
24 A. I couldn't move them. I don't know if

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1 I was in pain or not. I don't know, but I  
2 couldn't move them.  
3 Q. Now, how else did you feel then as you  
4 were in the back of the car?  
5 A. That was about it.  
6 Q. In regard to the driver, what could you  
7 see? I mean, you said you were on the floor of  
8 the car.  
9 A. The only thing I thought I saw -- I'm  
10 thinking I saw the air bag open. I saw blood  
11 splatter, and that was it and then he asked me if  
12 I could unfasten his seatbelt.  
13 Q. You said you couldn't.  
14 Was there any other conversation  
15 between you and the driver in the car?  
16 A. No, nothing else.  
17 Q. I know you couldn't move your arms.  
18 Did you attempt to move your legs or your body in  
19 any fashion?  
20 A. No.  
21 Q. What happened next? Did people come to  
22 help you out of the vehicle?  
23 A. The paramedics came.  
24 Q. How long was it would you say from when

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1 the impact occurred until the paramedics arrived?  
2 A. It seems to me that it was almost  
3 immediate. I mean, like, maybe not even  
4 five minutes passed.  
5 Q. Were there any bystanders that came to  
6 the car to ask you questions or help or anything?  
7 A. I only remember seeing a lady. I don't  
8 remember that she was at the car. I just remember  
9 seeing a lady.  
10 Q. Did you call the fire department or the  
11 paramedics?  
12 A. No, I did not.  
13 Q. Did the driver call anyone, that you  
14 can tell?  
15 A. Not to my knowledge.  
16 Q. Once the paramedics arrived at the  
17 scene, what did they do for you?  
18 A. The paramedics, I recall getting into  
19 the cab with me and telling me that they were  
20 going to have to cut us out of the cab and that  
21 they were going to take the driver first and that  
22 they were going to put a tarp over me.  
23 Q. And then did they put a tarp over you?  
24 A. Yes.

14 (Pages 50 to 53)

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1 Q. Did they cut the car to get --  
2 A. I guess so.  
3 Q. Were you conscious at that point when  
4 they were cutting the vehicle?  
5 A. I was conscious until what I remember  
6 is being pulled out of the cab, put on the  
7 stretcher and put in the ambulance, and that's  
8 about as far as I go.  
9 Q. Can you tell me, as best you recall,  
10 how long did it actually take them from when they  
11 arrived at the scene of the accident until you got  
12 to the point where you don't have a recollection  
13 of what happened?  
14 A. I have no idea of the time. I really  
15 don't.  
16 Q. Did you see them remove the driver out  
17 of the cab?  
18 A. No, I did not.  
19 Q. During the time that you and the driver  
20 were in the cab, at any point, did he lose  
21 consciousness, as far as you can tell, if you  
22 could tell?  
23 A. I don't know that.  
24 Q. Was he making any noises or sounds, not

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1 A. Oh, I know, and I told the nurse who  
2 they were and I said it's fine.  
3 Q. Do you know when that was, what time of  
4 day?  
5 A. No. I have no idea, no.  
6 Q. Maybe you didn't know then but do you  
7 know now? Had anything been done for you at that  
8 point, or were you still in the ER triage unit  
9 where they were --  
10 A. I believe I was in the ER. Well, I was  
11 in ER because I think Frances told me that the cab  
12 driver was next to me in a different, you know...  
13 Q. Let me ask you a question about the cab  
14 driver.  
15 Did you and the cab driver have any  
16 conversations while you were in the ER together?  
17 A. Oh, no. I haven't seen him, no. In  
18 fact, I hope he's all right.  
19 Q. And you haven't spoken to him?  
20 A. No.  
21 Q. And how long were you in the ER until  
22 they started --  
23 A. I do not know that.  
24 Q. Did you remain in the same hospital

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1 necessarily conversation?  
2 A. Not to my remembrance.  
3 Q. When the paramedics came to the scene  
4 of the vehicle and talked to you and told you what  
5 they were going to do, did they ask you questions?  
6 A. I don't recall being asked questions.  
7 Q. What's the next thing that you recall  
8 after they got you out of the cab, put you on a  
9 stretcher, and were getting you to the ambulance?  
10 You said at that point you don't recall anything.  
11 A. No, other than they said that they were  
12 going to have to cut off my top. I do remember  
13 that, and that they were going to need to remove  
14 my nail polish.  
15 Q. And did you lose consciousness, if you  
16 know?  
17 A. Evidently. I don't know, but evidently  
18 I did because I don't remember anything else.  
19 Q. What's next thing you remember?  
20 A. I remember the nurse coming to me and  
21 saying that your sisters are here, and I remember  
22 saying to the nurse "I have no sisters."  
23 Q. Well, that's because they said they  
24 were your sisters so they could get in.

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1 until February, or at some point did you move  
2 somewhere else?  
3 A. No. September 23rd till, I believe, it  
4 was October 8th that I moved to West Suburban  
5 Hospital for rehab. October 8th I believe it was.  
6 Q. But the hospital that you were taken  
7 to --  
8 A. Loyola for the ER?  
9 Q. And were you admitted at Loyola then?  
10 A. Yes. That's where I had my surgery.  
11 Q. Well, let's go through that then.  
12 While you were in the hospital in  
13 the ER, tell me how you felt at that time.  
14 A. I don't know. They told me I was in  
15 pain, so maybe I was. I don't know how I felt.  
16 I really don't know.  
17 Q. Is there any particular part of your  
18 head, your arm, or leg, any part of your body that  
19 hurt, that you recall? I'm sure they gave you  
20 pain medication at some point.  
21 A. I don't recall. I'm going to say  
22 something that's off the wall right now. What I  
23 do recall is that I had visitors, and I think I  
24 was hallucinating, so I'm pretty sure I was on

15 (Pages 54 to 57)



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1 medication.  
2 Q. Okay. I'm not asking this to say you  
3 were off the wall, but the visitors obviously --  
4 You mentioned that your friends were there, that  
5 they came to the hospital together basically.  
6 A. Yes.  
7 Q. The other visitors that you saw, that  
8 you think you saw, who were they?  
9 A. My dead animals, my pets.  
10 Q. That's not unusual, by the way,  
11 especially for what they were giving you, which is  
12 probably why you also don't recall the pain that  
13 you most certainly had.  
14 So what did they do for you in the  
15 ER other than poke you and look at you and hook  
16 you up to tubes and give you stuff?  
17 A. That's what I was told they did. Thank  
18 you.  
19 Q. Do you recall anything specifically?  
20 A. I really don't.  
21 Q. Once they admitted you to the hospital,  
22 what's the first thing that you recall they did,  
23 what kind of procedure or things they did for you?  
24 A. You know, the only thing that I

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1 remember is leaving Loyola and going to West Sub.  
2 I really don't remember -- It's only what I have  
3 been told. Yeah, it's what I've been told, that  
4 psychologically I think I was -- I've been told  
5 that I was much worse off than I thought I was,  
6 basically, is all I can say about that.  
7 Q. If this isn't a fair statement, tell me  
8 it's not.  
9 But is it fair to say that at this  
10 point that you do not recall what procedures were  
11 done to you at Loyola, and your knowledge of it is  
12 based upon what people told you or looking at  
13 records or seeing a bill or something like that?  
14 A. Well, I could say that I know that I  
15 had casts on my arms because I remember seeing  
16 that and I have the scars, and I know that I had  
17 surgery on my ankle because I saw that. I know  
18 that they did skin grafts because I can look at my  
19 leg and see that. I know that I had rods put in  
20 because I can see the spot where they did it.  
21 At the time that it was occurring -- I also have  
22 stitches that go up my leg, and I have a scar down  
23 my back. I know that they did work on me because  
24 I can see it, but at the time that it was

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1 occurring I did not experience it.  
2 Q. So is it fair to say that you know you  
3 had these procedures done because you can see the  
4 remnants of them?  
5 A. Correct.  
6 Q. Other than you recall casts on your  
7 arms.  
8 So you actually recall seeing them  
9 on your arms. And that's why you know that at  
10 Loyola they did a whole number of different  
11 treatments and procedures?  
12 A. That is correct.  
13 Q. So you don't have a recollection of  
14 going into the surgical room and them doing your  
15 arms or doing your ankle. Is that a correct  
16 statement?  
17 A. That is correct. No, I do not.  
18 Q. Now, you said before that you do recall  
19 leaving Loyola.  
20 A. Uh-huh.  
21 Q. Is that correct?  
22 A. That is correct.  
23 Q. So when you left Loyola -- And it looks  
24 like you were admitted to West Suburban on

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1 October 8th of 2007.  
2 Tell me what you recall about that  
3 day when you left Loyola.  
4 A. I recall being put on a stretcher.  
5 Q. So you weren't in a wheelchair. They  
6 took you by stretcher?  
7 A. (Nodding.)  
8 MS. SCOTT: Is that a yes?  
9 THE WITNESS: I'm sorry. Yes, I was in  
10 a stretcher.  
11 BY MR. RUDA:  
12 Q. Were you transferred via ambulance to  
13 West Suburban?  
14 A. Yes, I was.  
15 Q. Do you recall how you felt that day,  
16 you know, how your body felt?  
17 A. No.  
18 Q. Now, once you got to West Suburban, do  
19 you recall what sort of treatment you received at  
20 West Suburban Medical Center?  
21 A. I think initially when I got there I  
22 was still immobile. I could not feed myself.  
23 I really couldn't do anything for myself, so I  
24 would think that the treatment that I got was just

16 (Pages 58 to 61)

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1 the immediate care, I don't know, feeding me  
2 and --  
3 Q. Do you know the reason why you were  
4 transferred from Loyola to West Suburban Medical  
5 Center?  
6 A. I think I requested to do that because  
7 I lived in Oak Park.  
8 Q. It was closer to home?  
9 A. Correct.  
10 Q. Other than that, was there a medical  
11 reason or some other reason?  
12 A. (Shaking head.)  
13 Q. Is that no?  
14 A. No, I don't believe so. Thank you.  
15 Q. When you were at Loyola, do you recall  
16 that you were immobile and they had to feed you  
17 and take care of whatever needs you had, they had  
18 to do that basically for you?  
19 A. I know that is true, but I don't recall  
20 it.  
21 Q. That's what I thought, but I wanted to  
22 make sure.  
23 Once you got to West Suburban, at  
24 some point, I assume that you began to undergo

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1 therapy; is that correct?  
2 A. But I don't recall when it started, but  
3 I did. They started by doing therapy in the room,  
4 and then from there I progressed to going to the  
5 rehab center. It's on the 5th floor of West Sub.  
6 Q. Now, when you were at West Suburban  
7 Hospital, were you still having to lie down?  
8 Maybe they raised you up a little bit, but were  
9 you able to sit up, such as we are sitting in  
10 chairs now?  
11 A. Initially, no. As I said, I don't know  
12 when I started, but I did -- I could only be on my  
13 back. I wore -- I had a protective boot on my  
14 left leg. I had to keep pillows under my knees to  
15 relieve the -- It was just totally uncomfortable.  
16 I remember that. I had no strength or energy to  
17 move myself over the bed. I couldn't do that.  
18 Q. Would they come and turn you or move  
19 you to different sides?  
20 A. They propped me with pillows because --  
21 part of the skin graft is on this left side of my  
22 leg, so I couldn't lay on that, and I couldn't get  
23 over to the right side, I think, because there was  
24 a muscle removed from my back here (indicating).

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1 So basically I just had to stay on my back.  
2 Q. Do you know approximately when it was  
3 that you were able to sit up on your own?  
4 A. I would say probably some time in  
5 January.  
6 Q. January 2008, correct?  
7 A. Correct.  
8 Q. Now, you mentioned the therapy was done  
9 for you in the room initially to start.  
10 Do you know how long that therapy  
11 was?  
12 A. No, I don't.  
13 Q. Do you recall when it was that you went  
14 to the therapy center? It was obviously to a  
15 different floor you went to have it done.  
16 A. No. I was placed on the 5th floor, and  
17 that's where the therapy center is.  
18 Q. Do you know when it was that you  
19 started to go to the therapy center? Do you know  
20 what month possibly?  
21 A. I'm speculating here, maybe towards the  
22 end of October, late October, early November,  
23 maybe. I don't know, but, as I said, I was  
24 speculating.

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1 Q. I assume when you initially went to the  
2 therapy center that they assisted you in getting  
3 to and from, you know, from your room to where the  
4 therapy was. Is that a correct assumption?  
5 A. Uh-huh.  
6 Q. Is that yes?  
7 A. Yes. They had -- It was like a  
8 stretcher kind of piece of equipment, but it was  
9 called a hard bed, I believe. And that's what  
10 they would transport me on to the therapy room,  
11 and then I would do -- I think I started out doing  
12 hand exercises. I did leg exercises, and there  
13 was some machine that they would hook my leg up  
14 to, and it would like bend -- flex, the word is  
15 flex. Flex the leg, that I would do in the room,  
16 but when I'd go to the therapy room and then I do  
17 recall -- I don't know when it happened, but the  
18 first time I was able to stand up, it's a piece of  
19 equipment that you're strapped to and it rotates.  
20 Q. Do you know when it was that you began  
21 to be able to move on your own from your room to  
22 the therapy center?  
23 A. It would be when I started using a  
24 walker and -- timeframe wise, I don't know.

17 (Pages 62 to 65)

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1 Probably, I would say, maybe January.  
2 Q. January of 2008?  
3 A. '08, yes. I think most things started  
4 happening in January of 2008. I don't know. I'm  
5 guessing again.  
6 Q. And from what you said, did you use a  
7 walker to assist you initially to get to and from?  
8 A. First, I went in that hard bed, and  
9 then I was in a wheelchair and then I went from a  
10 wheelchair to a walker and four-prong walker and  
11 then I went to a three-prong walker and then I  
12 went to a cane.  
13 Q. When were you using the cane? Do you  
14 recall?  
15 A. When I came home, I was in a  
16 wheelchair, and I used the three-prong walker and  
17 then I started using the cane. So I would say  
18 that probably utilizing the cane and still going  
19 to the wheelchair in April, maybe May.  
20 Q. So in the hospital you didn't use a  
21 cane?  
22 A. No, no.  
23 Q. So you used a four-prong walker to get  
24 to and from.

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1 injured then? Let's go through it individually,  
2 and you can start wherever you'd like.  
3 A. Okay. I broke both wrists. I  
4 fractured both thighs, and I guess it would be  
5 called a fracture of the left ankle. The bone was  
6 protruding through the skin, and then I have some  
7 scarring. I guess it would be -- I don't know.  
8 That looks like a cut, but it's like that  
9 (indicating).  
10 Q. Let me ask you real quick, the scarring  
11 that you have, tell me what parts of the body that  
12 you have scarring to.  
13 A. Arms and legs.  
14 Q. Both arms and both legs?  
15 A. Uh-huh.  
16 Q. Where is the scar, in particular?  
17 We need photos. We can get them later.  
18 But, in particular, in terms of  
19 your arm, where is the scarring at?  
20 A. On the inside of -- What do you call  
21 this?  
22 MS. SCOTT: Forearm.  
23 THE WITNESS: Forearm. And I would  
24 say, like, there is some here, and this on the

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1 Did you use a three-prong walker to  
2 get to and from, or is that when you were at home?  
3 A. I was trained on that before I left the  
4 hospital. So I would say that -- It was used  
5 after I got home really. It was used at home.  
6 Q. Did you have a wheelchair when you went  
7 home?  
8 A. Yes.  
9 Q. So when you went home in --  
10 A. February.  
11 Q. February of '08.  
12 A. 15th. When I had the wheelchair, I  
13 used the wheelchair for transport when I'd go to  
14 rehab.  
15 Q. Around the house, would you try and get  
16 around using the walker at first as opposed to the  
17 wheelchair?  
18 A. Yes.  
19 Q. Let's go back to, if we could, the  
20 injuries that you sustained, ma'am.  
21 Tell me -- and I know you don't  
22 recall what the treatment was at Loyola, but I  
23 assume you know or at least know something.  
24 What parts of your body were

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1 right side (indicating).  
2 MS. SCOTT: It's mainly the lower half  
3 of both arms.  
4 THE WITNESS: Yeah, the lower half I  
5 have -- evidently something was -- because there's  
6 stitches going up the left knee.  
7 BY MR. RUDA:  
8 Q. Let's talk about your left leg then for  
9 a moment.  
10 You got stitches on your left knee?  
11 A. There is a stitch going up the middle  
12 of the left knee. They did a skin graft on the  
13 outside of the thigh. They did a skin graft on  
14 the inside of the calf. The skin grafting was put  
15 on the left ankle. Is that right? That's it.  
16 Q. Now, you mentioned before that they had  
17 to surgically repair parts of your body using some  
18 hardware.  
19 What parts? How about your arms?  
20 Do you have pins in --  
21 A. I have pins in both wrists, and I have  
22 pins in the thighs.  
23 Q. How about the ankle? What did they do  
24 for the ankle in terms of hardware?

18 (Pages 66 to 69)

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1 A. I think I have a pin in there, too.  
2 I think I do, but that's where the plastic surgery  
3 was, so I'm not sure.  
4 Q. Now, I know you had a number of  
5 surgeries. I know you don't recall them, but can  
6 you tell us what surgeries you had, what you've  
7 been told, or what you think you know?  
8 A. The only thing that I've been told.  
9 I was told that I had eight or nine surgeries, and  
10 I don't -- The two that I know about was the  
11 second skin grafting of the ankle, and then --  
12 Well, it wasn't really a surgery. I had to go  
13 back into the hospital. I believe I received --  
14 It was a staph infection of where they did the  
15 first skin graft.  
16 Q. Do you know where the staph infection  
17 was?  
18 A. Say that again.  
19 Q. When was the hospitalization for the  
20 staph infection? And approximately is good  
21 enough.  
22 If you know, was it in '08 or was  
23 it last year?  
24 A. I don't know. I can find that out.

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1 Q. In terms of the second skin graft, the  
2 one concerning the ankles you describe, when was  
3 that done?  
4 A. That was done while I was still in West  
5 Sub, but it was done over at Loyola.  
6 Q. They moved you over there to have it  
7 done?  
8 A. I think -- Wait a minute. Timeframe  
9 wise? I don't think so. Wait. I think I was  
10 already discharged when I had the second one done.  
11 I don't know. I'd have to look that up, too.  
12 And, basically, what I did because  
13 I'm starting to feel kind of weird with this, but  
14 I'll be fine. But I just kind of do things and  
15 don't look at time, so you're asking me specifics,  
16 which is really funny because, as I said, I don't  
17 even remember when I got divorced. I just kind of  
18 move through what I'm doing and go beyond it. So  
19 I'll look it up for you. I know I can find it.  
20 Q. In terms of the surgical procedures  
21 done to your arms, wrists, your legs, or the  
22 ankle, have any of your doctors said you're going  
23 to need another surgery to remove any of the --  
24 here is the technical term -- stuff they put into

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1 you?  
2 A. No.  
3 Q. Are you having any problems, pain,  
4 discomfort, difficulty with the hardware that's in  
5 you, you know, the pins and things they did to  
6 repair you?  
7 A. No, I don't think I am. I still  
8 have -- Sometimes I feel a pulling in this arm  
9 (indicating).  
10 Q. In your left arm, ma'am?  
11 A. In my left arm, I have a pulling in the  
12 left arm. I don't know what that's from, but  
13 there's a pulling in the left arm periodically.  
14 When I get up, sometimes there's pain in my  
15 thighs, pain sometimes -- and I'm saying pain, but  
16 I hate to use that word. It's an uncomfortable  
17 feeling, but it is painful. It hurts. In the  
18 ankle, sometimes it gets tight. I get cramps in  
19 my thighs. Most of the time it's when I'm in the  
20 bed. I don't know. It's like if I'm relaxing  
21 sometimes the muscles kick in and just kind of  
22 contract. If I stand up, I can walk it out.  
23 Q. Is the cramping in your thighs when you  
24 are laying down or sitting down?

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1 A. The cramping in the thighs is basically  
2 when I stand up. The calves is when I'm lying  
3 down. I can get up myself, but it is quite  
4 interesting what I do to get up off the couch, and  
5 I have also almost destroyed my couch because when  
6 I get up I need support, and I push up against the  
7 arm like that. So I'm going to have to get a new  
8 couch.  
9 Q. The pain in your ankle that you  
10 mentioned, is that upon -- For example, you've  
11 been sitting down.  
12 Is it upon getting up and moving  
13 that there's discomfort?  
14 A. Yes, it is.  
15 Q. Does it pass then as you move?  
16 A. Yes, it does.  
17 Q. You also mentioned sometimes you get  
18 pain in your thighs.  
19 Is that also upon having periods of  
20 rest when you stand up and begin moving and having  
21 discomfort?  
22 A. It's when I possibly sit too long.  
23 Q. And then when you move around, does the  
24 pain dissipate?

19 (Pages 70 to 73)

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1 A. When I get up, it eases, yes.  
2 Q. Now, besides these complaints --  
3 A. Guess you can call it a stiffness. I  
4 don't know.  
5 Q. That's how you describe it, though, as  
6 a stiffness, the pain in your thighs upon sitting  
7 too long?  
8 A. Yeah, because I don't recognize pain.  
9 I call it stiffness. It's probably painful, but I  
10 don't recognize that. It's all in perception.  
11 Q. Okay. Is that your philosophy, that  
12 you don't believe in pain, so you call it  
13 something else?  
14 A. So then you don't feel it as bad.  
15 Q. There is medically some basis for that.  
16 A. It's also perception.  
17 Q. So you've described certain episodes of  
18 pain or discomfort that you have concerning  
19 different parts of your body.  
20 Besides what you just said moments  
21 ago, tell me how you feel. How do you feel now as  
22 you're sitting here during the deposition? You've  
23 been at it sitting here for an hour-and-a-half or  
24 so. How do you feel now?

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1 A. I feel comfortable. I feel like I'm  
2 getting a headache, though, but that could --  
3 Never mind. That could be something else. And a  
4 little tight on the left side, and if I stand up,  
5 it would relieve it.  
6 Q. Is it your back or your leg that's  
7 tight on your left side? What part of your body?  
8 A. It's my butt.  
9 MR. WEISS: Did you want to take a  
10 break to stand up?  
11 THE WITNESS: Thank you. What you did  
12 is you drew my attention to it. I wasn't paying  
13 attention to it.  
14 MR. RUDA: I understand. Do you want  
15 to take a break for a second?  
16 MR. WEISS: You can stand up and answer  
17 questions.  
18 THE WITNESS: I'm fine. Let's go.  
19 BY MR. RUDA:  
20 Q. Generally, how is your life different  
21 now than before the accident on a daily basis?  
22 A. On a daily basis, I think it takes me a  
23 little longer to get ready for work, not that much  
24 longer, but I move a little bit slower through the

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1 apartment. I don't walk as fast. The distance  
2 that I could walk, I can't do that now. At church  
3 I cannot kneel at the altar. I spend a lot of  
4 time at church, but I'm functioning. It takes me  
5 a long time to do the stairs, and I manage with  
6 that. It's really stairs and -- I'm functioning.  
7 It just takes me a little longer.  
8 Q. In terms of distance, how far would you  
9 say -- Let's say we're going to put the stopwatch  
10 on you and watch you walk.  
11 How far can you go now?  
12 A. I probably could walk maybe a  
13 block-and-a-half before I would need to stop.  
14 Q. How about before the accident? How  
15 long were you able to go for, would you say?  
16 A. On a treadmill, I could walk three  
17 miles.  
18 Q. Did you used to work out on a treadmill  
19 before the accident?  
20 A. Uh-huh, and that's one of the equipment  
21 pieces that was in my therapy, also, was a  
22 treadmill.  
23 Q. Just so the question is answered.  
24 A. I said yes.

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1 Q. So you worked out on a treadmill before  
2 the accident?  
3 A. Yes.  
4 Q. How regularly did you do that?  
5 A. I went to the treadmill three times a  
6 week.  
7 Q. And how long would you walk for?  
8 A. Half an hour, 45 minutes.  
9 Q. Now, after the accident, you said one  
10 of the modalities of therapy was walking on a  
11 treadmill.  
12 A. Right, that was the rehab part.  
13 Q. While you were in the rehab in the  
14 midst of it and you got to your maximum on the  
15 treadmill, how long would you walk for?  
16 A. We didn't do mileage, but I think  
17 probably I was on the treadmill that was during  
18 the therapy session maybe five minutes.  
19 Q. Now, have you attempted to go back to  
20 working out on a treadmill since this accident?  
21 A. No. The only thing that I've done  
22 after the therapy -- Now, as I said, I do belong  
23 to the health club, and it's just a matter of  
24 getting myself there, but I will not do the

20 (Pages 74 to 77)

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1 treadmill. When I went for my training session,  
2 the trainer turned the treadmill on. It was a  
3 slow speed, but I couldn't do it for whatever  
4 reason. I don't know why. I didn't feel  
5 comfortable with it, but I had done it with the  
6 therapy. So what I do is bicycling, the recumbent  
7 bike, because I couldn't do the regular bicycle  
8 because I don't have the flexibility in the left  
9 knee to bend it. There's not the full bend in the  
10 knee that I need. So the recumbent bike, I can do  
11 that, and I did, like, the weight training stuff,  
12 the machine-type stuff.  
13 Q. So when you work out now when you go to  
14 the health club, you do the bicycling.  
15 Do you work out with machine  
16 weights or free weights?  
17 A. No. The machines that have the weight  
18 bells on them and -- I don't know how to describe  
19 them. I don't know what they're called.  
20 Q. But not free weights that you have  
21 to --  
22 A. No.  
23 Q. And how often do you work out?  
24 A. And, now, I said to get myself to go

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1 kneel and you spend a lot of time at church.  
2 Do you volunteer at church or  
3 serve?  
4 A. I do. I'm an officer.  
5 Q. Is there any physical component to that  
6 other than you have to get where you're going?  
7 A. That's basically it.  
8 Q. Any other hobbies or activities that  
9 we've covered, the physical ones? How about  
10 hobbies or activities that you engage in that you  
11 can't do anymore that you used to do, clubs,  
12 things like that?  
13 A. No. I think that adjustments have been  
14 made where I have continued. I belong to it --  
15 It's called Linx, Incorporated, and it is an  
16 international women's club, and I'm the recording  
17 secretary. That's just a matter of being able to  
18 write, which I can do. At church I'm a trustee,  
19 and I'm also the treasurer of the church. That's  
20 it, and then I work.  
21 Q. Now, the doctors that you have, your  
22 answers to interrogatories indicate certain places  
23 you received treatment.  
24 Is there a regular doctor that you

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1 there. I joined the end of December and I've been  
2 twice.  
3 Q. How about before December of 2009, were  
4 you a member of another health club?  
5 A. Yes. I belonged to Gottlieb, and I  
6 would go three times a week.  
7 Q. Before the accident, would you go to  
8 Gottlieb three times a week to do a work out  
9 program, whatever it was?  
10 A. That's where I would go to play  
11 racketball. That's where I would go to do the  
12 exercises. I did the badminton at the YMCA in Oak  
13 Park. I didn't join any Jazzercise or anything,  
14 no. So that was it.  
15 Q. In terms of working out at your new  
16 health club, the fact that you've only been twice,  
17 is that just you've got to get started again and  
18 regularly going?  
19 A. That is exactly right.  
20 Q. Because you know you can never stop.  
21 A. It's a matter of getting there, and I  
22 need to do that.  
23 Q. Now, you mentioned that you had  
24 difficulty at church. For example, you can't

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1 see or a family doctor?  
2 A. Yes, Dr. Slasuraitis. And you want me  
3 to spell her name?  
4 Q. For the record, that's probably a good  
5 idea.  
6 A. I have to look it up. Her name is  
7 Andrea, A-n-d-r-e-a. Last name is spelled,  
8 S-l-a-s-u-r-a-i-t-i-s, Slasuraitis.  
9 Q. And Dr. Slasuraitis, where does she  
10 practice at?  
11 A. At West Suburban.  
12 Q. Is that your family doctor you go see  
13 for all your regular stuff or if you're sick?  
14 A. Yes.  
15 Q. How long has she been your doctor,  
16 approximately?  
17 A. She became my doctor while I was in  
18 West Suburban. I had Dr. -- I don't know.  
19 Anyway, I had a different doctor, and at the time  
20 that I had the accident, she was leaving the  
21 business. She was leaving where she was. She was  
22 with West Sub, the program, and she was moving  
23 over to the South Side. So what I did not know is  
24 that she had transferred my records to another

21 (Pages 78 to 81)

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1 doctor, which when I got to the hospital, they  
2 were telling me that this was my doctor, and I was  
3 saying, no, this is not my doctor. Diana Bibbs,  
4 that's her name, B-i-b-b-s, was my primary  
5 therapist prior to Dr. Siasuraitis.  
6 Q. And for how long would you say you  
7 saw --  
8 A. Dr. Bibbs.  
9 Q. Yes.  
10 A. I would say 10 years, if not more.  
11 Q. Now, in regard to your past health  
12 history before this accident, had you ever  
13 suffered any injuries falling down, car accident,  
14 box falling on your head --  
15 A. No.  
16 Q. Something like that?  
17 A. No.  
18 Q. Before this accident, did you have any  
19 problems of any kind with any parts of your body,  
20 arthritis, congenital conditions, discomfort,  
21 problems, anything at all?  
22 A. I did have a back problem.  
23 Q. From what you've described, your back  
24 is one of the things that wasn't hurting in this

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1 Q. You either pull it out or go to the  
2 doctor and they put a splint on it.  
3 A. That's about it.  
4 Q. Other than volleyball-related injuries,  
5 nothing?  
6 A. No.  
7 MS. SCOTT: Can we go off the record?  
8 (Whereupon there was a discussion  
9 had off the record.)  
10 BY MR. RUDA:  
11 Q. In terms of expenses that have been  
12 incurred, other than for medical expenses, have  
13 you had to incur expenses or do things for  
14 accommodations because of the accident around your  
15 house or otherwise?  
16 A. Yeah. I have had to get -- I have a  
17 bench for the tub, and I initially had for the  
18 toilet. It was one of those with the hand things  
19 on it, and now I -- Well, now I can use just the  
20 seat part because it's high enough that I can get  
21 up.  
22 What else did I have to do? I've  
23 got a chair that has that lift, you know, with a  
24 remote thing that you push it and it lifts it up,

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1 accident?  
2 A. No, it was not.  
3 Q. What's your back problem that you have?  
4 A. Sciatica.  
5 Q. You still have it on occasion or not?  
6 A. Well, when I'm standing too long or  
7 walking too much or whatever, I get a pain right  
8 back here (indicating), and I think maybe that's  
9 it. However, big deal.  
10 Q. Any other problems, such as that back  
11 problem or feet problems or anything like that  
12 that you had before that accident?  
13 A. No.  
14 Q. In terms of hospitalizations, prior to  
15 the accident, had you ever been hospitalized  
16 previously for anything?  
17 A. I've had -- well, fibroids and polyps.  
18 Q. Other than that, anything else?  
19 A. No.  
20 Q. So nothing ever broken, bruised,  
21 fractured, anything like that in your body  
22 previous to this accident, correct?  
23 A. So what do you do with your finger when  
24 you jam it playing volleyball?

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1 and I got like a kitchen chair, I think.  
2 Otherwise, it's just the medications. I have a  
3 really -- No, I think that's it.  
4 Q. In terms of any of your doctors,  
5 whether it's your primary care doctor or any other  
6 doctors, have any of them told you what you might  
7 expect in the future because of this accident,  
8 that you might be facing health issues or problems  
9 in the future because this accident happened?  
10 A. No.  
11 Q. And when is the last time that you did  
12 go to a doctor because of this accident, whether  
13 it was a follow-up visit or you had a complaint or  
14 problem of some kind?  
15 A. I saw Dr. Weiss on Thursday,  
16 February 4th.  
17 Q. And what kind of doctor is Dr. Weiss.  
18 A. Dr. Weiss is the doctor who took care  
19 of my ankle. He is a wound care doctor at West  
20 Suburban, and he also prescribed the physical  
21 therapy.  
22 Q. Did he do the surgery?  
23 A. No, he did not. Dr. Vandevander  
24 (phonetic) did the surgery.

22 (Pages 82 to 85)

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1 Q. How do you spell his name, do you  
2 recall?  
3 A. V-a-n -- I don't know how to spell his  
4 name.  
5 Q. Phonetically it's Vandever?  
6 A. Vandevander.  
7 Q. And did he do the surgery on your  
8 ankle?  
9 A. Yes.  
10 Q. Did he do the surgery on any other part  
11 of your body?  
12 A. No.  
13 Q. Do you know who any of the surgeons  
14 were that worked on you, your arms, legs?  
15 A. There are two others. Dr. Bednar,  
16 B-e-d-n-a-r, and it's one that starts with an S.  
17 MS. SCOTT: Off the record.  
18 (Whereupon a discussion was  
19 held off the record.)  
20 THE WITNESS: Dr. Stover.  
21 BY MR. RUDA:  
22 Q. Dr. Stover?  
23 A. That's right. Thank you.  
24 Q. Do you have written down somewhere or

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1 phone?  
2 A. Yes.  
3 Q. And who was your cell phone carrier at  
4 the time?  
5 A. Verizon.  
6 Q. Is it still Verizon?  
7 A. Yes, it is.  
8 Q. Did you call them from the plane, like,  
9 for example, when you were deboarding?  
10 A. No. I would have called once I was off  
11 the plane and in the terminal.  
12 Q. Did you check your bags?  
13 A. I did.  
14 Q. So while you were waiting for the bags,  
15 is that when you made the call?  
16 A. That's quite possible, but I would  
17 think I probably called before I went to the  
18 baggage claim.  
19 Q. Can you give me a rough estimate?  
20 I'm not going to hold you to it, but a rough  
21 estimate as to how much time passed between the  
22 time you called to Blue Cab and when you got to  
23 the cab, either outside or inside the cab.  
24 And let's do it in 15-minute

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1 have the names of all the docs that you saw?  
2 A. I do.  
3 Q. It's probably a good idea to --  
4 A. I just took them out of this calendar  
5 because I didn't think I needed them anymore.  
6 MS. SCOTT: We can supply you with a  
7 list.  
8 MR. RUDA: I think I'm done, but I'll  
9 defer to Steve.  
10 MR. WEISS: Rose, my name is Steve  
11 Weiss. I represent Blue Cab, so I'm going to ask  
12 you some questions. I'm going to be kind of  
13 hopping around from subject to subject. I'm not  
14 going to re-plow the field, so to speak. He asked  
15 most of the questions. So if you're following  
16 where I'm going, let me know, and I'll slow down.  
17 THE WITNESS: All right.  
18 EXAMINATION  
19 BY MR. WEISS:  
20 Q. When did you call Blue Cab about being  
21 picked up at the airport?  
22 A. I believe I called them when I arrived  
23 at the airport.  
24 Q. I assume you called them from a cell

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1 increments.  
2 A. You know, I don't know if I'm getting  
3 this time with the cab confused with another, but  
4 I think that I had to call them to say, "Are you  
5 coming?" That's in my head. You know, I thought  
6 they should have been there sooner than they were.  
7 I think, but I don't know if that's true.  
8 So I would say if I would have made  
9 a call saying where is the cab, it would have been  
10 at least 20 minutes that I would have waited, just  
11 knowing me.  
12 Q. And do you have Blue Cab or at least  
13 did you have Blue Cab programmed in your phone?  
14 A. It still is.  
15 Q. Now, I think you answered this question  
16 already. I just want to make sure I understood  
17 it.  
18 The only reason you called Blue Cab  
19 is because Blue Cab is located in Oak Park?  
20 A. Right.  
21 Q. To my knowledge, there's cabs waiting  
22 outside of the airport, such that anybody can just  
23 walk out, get in line and go.  
24 A. You're absolutely correct.

23 (Pages 86 to 89)



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1 Q. Why did you not do that as opposed to  
2 calling Blue Cab?  
3 A. Because I knew that he would have to go  
4 back to Oak Park, and I thought it would be more  
5 convenient for both of us. And, also, I'm  
6 familiar with Blue Cab, because, as I said, I live  
7 in Oak Park and I know it's there, and I also  
8 lived in River Forest and I also used Blue Cab  
9 when I was in River Forest.  
10 Q. Is it your understanding that Blue Cab  
11 is mostly a suburban cab company, as it were?  
12 A. Uh-huh.  
13 Q. Is that a yes?  
14 A. Yes, it is.  
15 Q. Again, I'm not trying to be rude.  
16 A. No.  
17 Q. And I think you testified before that  
18 you normally used Blue Cab to get you from the  
19 airport or to and from the airport; is that true?  
20 A. Correct.  
21 Q. Would it be both directions? Like, if  
22 you were going to O'Hare or going to Midway, would  
23 you call --  
24 A. Probably not to go because I could get

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1 someone to take me, and it is only because -- If I  
2 can't get someone to pick me up or take me, then I  
3 would use Blue Cab.  
4 Q. Before this accident, were you a  
5 frequent traveler, in your mind? Air traveler, I  
6 should say.  
7 A. I would say no.  
8 Q. Can you estimate for me how many times  
9 you used Blue Cab before the accident?  
10 A. Maybe four or five times, maybe.  
11 Q. How was it that you first came to use  
12 Blue Cab?  
13 A. My friend Sherlynn suggested Blue Cab.  
14 Q. And that was the woman whose name was  
15 listed in the interrogatories?  
16 A. That's correct.  
17 Q. How did Blue Cab come up with Sherlynn?  
18 A. Well, I would think -- I've known  
19 Sherlynn since 1991, so you're asking me to really  
20 remember something. But I think that probably I  
21 needed to go to the airport and she couldn't take  
22 me or Arthur couldn't take me at the time when I  
23 was married, or maybe Arthur and I were going  
24 somewhere together and we needed a cab, so

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1 Sherlynn would suggest, you know, various kinds of  
2 things to do in Oak Park, services to use in Oak  
3 Park that are available. So probably I said to  
4 her Sherlynn, we need a cab, and she said call  
5 Blue Cab.  
6 Q. The four or five times doesn't sound  
7 like a lot of times to me?  
8 A. No, it is not.  
9 Q. Do you have any --  
10 A. Because I also drive, so...  
11 Q. Did you have any issues with Blue Cab  
12 in any of those four or five prior trips before  
13 this accident?  
14 A. No, not at all. I'm pleased with Blue  
15 Cab service, and I -- yeah, I have no problem with  
16 the service that I've received from them. It's  
17 been fine.  
18 Q. Have you called them since the  
19 accident?  
20 A. Oh, no, but it has nothing to do with  
21 that. It's me.  
22 Q. Let me just tell you this: To my  
23 limited knowledge of the rules, you're under no  
24 obligation to know or remember anything. So if

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1 you don't know something or you don't remember,  
2 just tell me.  
3 A. Sure. I will.  
4 Q. Do you know how it is that Blue Cab  
5 determines which driver goes and picks up which  
6 fare?  
7 A. I sure don't.  
8 Q. Do you know whether the people driving  
9 the cabs are actually employed by Blue Cab company  
10 or their contractors or some other relationship?  
11 A. No, I don't. And let me tell you that  
12 I would think that it is an assumption on my part,  
13 as I would other things, that if you are driving a  
14 company cab, that you are an employee of the cab,  
15 and that's the way I look at that.  
16 Q. Why do you say that?  
17 A. Because I would think that you would  
18 have to be insured through the cab company.  
19 It's like if I see somebody driving the GE  
20 electric truck, I would assume that they are an  
21 employee of the truck. Otherwise, they would not  
22 be covered under insurance or, you know, really  
23 have the responsibility of driving the vehicle.  
24 Q. That's just an assumption you have?

24 (Pages 90 to 93)

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1 A. I said it is an assumption.  
2 Q. Based on your 62 years of experience?  
3 A. Based on my 62 years of living, yes.  
4 Q. In terms of you getting into any  
5 particular cab, did it matter to you whether these  
6 people were employees or agents or contractors, or  
7 was that even a factor in determining the call to  
8 Blue Cab?  
9 A. I would never ever think of anything  
10 like that. I called Blue Cab because it's a cab  
11 company and they have cab drivers and they are in  
12 Oak Park. That is the only reason.  
13 Q. When you spoke to Blue Cab when you  
14 called them from the airport -- I am back to the  
15 date of the occurrence now.  
16 Do you know who you spoke to?  
17 A. No.  
18 Q. Do you know how long the conversation  
19 was?  
20 A. No. Other than saying, "My name is  
21 Rose Sanders. I'm at Midway Airport, and I would  
22 like a cab to take me to 1040 Ontario." And what  
23 is it called? The dispatcher would say,  
24 "Ms. Sanders, we have a cab out for you in -- I

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1 don't know -- "the pick-up place for Southwest,  
2 and it's cab number whatever, whatever, whatever,"  
3 because there is an identifying number on the cab.  
4 Q. Do you know why it was that McFadden,  
5 in particular, as opposed to any other driver  
6 showed up to pick you that day?  
7 A. No, other than maybe he was the area.  
8 Q. Did you talk to him about why it was  
9 that he came to get you as opposed to anyone else?  
10 A. No.  
11 Q. How many miles approximately is it from  
12 the Midway Airport to your house in Oak Park?  
13 A. I don't know. I can tell you how many  
14 miles it is from work, but I can't tell you from  
15 Midway.  
16 Q. Would it be fair to say it's under  
17 10 miles or 20 miles?  
18 A. Well, I guess you could possibly say  
19 it's under 20 miles, but it's like 12 miles to  
20 downtown from Oak Park, and I think it's a little  
21 bit further from Midway to get to Oak Park; so  
22 maybe 20 or less, I guess.  
23 Q. Based on your experience in living at  
24 that location, do you have an estimate as to --

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1 And I know this varies by day and time of day, et  
2 cetera.  
3 How long would it normally take you  
4 to go from your home to Midway? And let me refine  
5 the question. Let me strike that for now.  
6 What day of the week was this?  
7 A. I think I came back on a Sunday.  
8 Q. So it is a Sunday?  
9 A. I think.  
10 Q. At 2 o'clock in September, right?  
11 A. Uh-huh.  
12 Q. Is that a yes?  
13 A. Yes, it is.  
14 Q. So I would think that traffic would be,  
15 relatively speaking, light? Would that be fair?  
16 A. I think that would be fair to say.  
17 Q. Given that it was a Sunday at 2 o'clock  
18 in September and traffic was relatively light,  
19 what would be your reasonable estimation as to how  
20 long it would take you to get from Midway to your  
21 home in Oak Park?  
22 A. I would say maybe, 20, 25 minutes,  
23 maybe.  
24 Q. Were you going to pay in cash that day?

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1 Had you made it home safely?  
2 A. I really thought I had taken the money  
3 out. I thought I had the money in my hand, and I  
4 had my keys because there was no money and I  
5 couldn't find my keys because I had -- I remember  
6 asking Sherlynn and Frances to go over to wherever  
7 the car was and ask -- I think the police had it  
8 or something -- to ask the police if they had my  
9 keys and they were not found.  
10 Q. So getting back to my question, you  
11 were going to pay cash; is that true?  
12 A. I believe so. Yes, I was.  
13 Q. When you got in the cab, did you talk  
14 with McFadden about the route he was going to  
15 take, or did you simply defer to him to pick the  
16 route?  
17 A. Deferred. No, we did not talk about  
18 the route that he was going to take at the time I  
19 got in the cab.  
20 Q. And then you said earlier that once you  
21 got in the cab, you were curious about why he was  
22 taking the route that he --  
23 A. Correct, rather than -- He took the  
24 streets, and the reason I asked that is because

25 (Pages 94 to 97)

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1 there are times when I drive to Midway that I will  
2 take the streets.  
3 Q. Did ask out of -- I don't want to say  
4 anger, but did you ask because you were second  
5 guessing him, or were you just curious?  
6 A. I was curious. I like reasons to do  
7 things.  
8 Q. Let's assume it was 20 miles, and let's  
9 assume it was going to be about 20 minutes.  
10 How far into the trip were you,  
11 let's say, when the accident occurred?  
12 A. Well, I think that we were pretty close  
13 to home. If we go with the 20 minutes, I would  
14 say maybe another 10 minutes and we would have  
15 been at home.  
16 Q. So we're talking maybe around halfway  
17 home at the point of the impact?  
18 A. Yeah.  
19 Q. Is that fair?  
20 A. Is that halfway? I'd say three  
21 quarters. I think we were closer than halfway.  
22 Q. Before the, let's call it the trouble  
23 started, what were you doing in the cab? Were you  
24 reading the newspaper, just looking out the

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1 window, talking on your cell phone?  
2 A. Looking out the window and periodically  
3 having a conversation with the cab driver.  
4 Q. And I think you told us earlier that  
5 you're not really sure or you don't really  
6 remember what you guys were talking about, other  
7 than what you already told us?  
8 A. Right.  
9 Q. Let's talk a little bit about the cab  
10 now, the cab itself.  
11 What make or model of car was it,  
12 if you know?  
13 A. I don't know. I know it was blue and  
14 white.  
15 Q. Did it look different to you than other  
16 Blue Cabs you had taken in the past?  
17 A. No.  
18 Q. Were all of the Blue Cabs that you rode  
19 in the four times before the accident --  
20 A. Wait. Let me go back to that, because  
21 I believe -- if I recall, I believe this cab had  
22 more white than the blue, and I think the blue was  
23 a little bit lighter. Now, there are some that  
24 I've seen with dark -- more blue, like blue being

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1 the dominant color and then there's white and it's  
2 a darker blue.  
3 Q. Did you comment to McFadden about that?  
4 A. No, because it had Blue Cab written on  
5 it?  
6 Q. And where was Blue Cab written on the  
7 car, if you remember?  
8 A. I believe it's on the doors.  
9 Q. Other than Blue Cab, were there any  
10 other writings, that you recall, on the vehicle?  
11 A. I really think there's more, but I  
12 don't know what it is, as far as a design kind of  
13 thing on it, but I don't really recall what it  
14 would be.  
15 Q. It's my understanding that this cab was  
16 a 2000 Ford Crown Victoria.  
17 Does that jog your memory at all?  
18 A. That's quite possible. Maybe that's  
19 how I was able to get on the floor. Crown  
20 Victorias are larger cars.  
21 Q. Were the other Blue Cabs that you had  
22 ridden in before the accident, the four or five  
23 other trips, were they all Crown Victorias, or  
24 were they different types of cars?

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1 A. I would think I don't really remember.  
2 Q. That's fine.  
3 Did it seem to you that the cab was  
4 in good working order before the accident?  
5 A. Yeah. I didn't notice anything out of  
6 the ordinary with the car.  
7 Q. At any point in time in the ride, and  
8 I'm just trying to jog your memory about what you  
9 might have talked to him about, McFadden.  
10 A. Sure.  
11 Q. Did you ever discuss the cab itself,  
12 the car?  
13 A. I don't recall that.  
14 Q. Did you ever discuss who owned the car?  
15 A. No.  
16 Q. Did you discuss anything about when it  
17 was purchased or the make or the model, anything  
18 like that?  
19 A. No.  
20 Q. Did you discuss who was responsible to  
21 maintain it, to keep it?  
22 A. No.  
23 Q. Did you discuss anything about when the  
24 car had last been looked at?

26 (Pages 98 to 101)

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1 A. No.  
2 Q. Did you discuss how McFadden was  
3 licensed to be a driver, like who licensed him and  
4 where he was licensed, anything like that?  
5 A. No.  
6 Q. And you never met the man before the  
7 accident, to your knowledge?  
8 A. Never ever, ever, ever to my knowledge.  
9 Q. Do you have an opinion, as you sit here  
10 today, as to why this accident happened, and if  
11 so, will you share it with me?  
12 A. I will. It's my opinion that God  
13 decided that I was not taking time for myself, and  
14 since I didn't do it, God did it. That's my  
15 opinion.  
16 Q. And I understand that type of belief,  
17 and I think for what this is worth, it seems like  
18 you're doing a good job in trying to move on from  
19 a horrible situation, and you should be commended  
20 for that.  
21 A. Really, most things that I do I learn a  
22 lesson from it, so...  
23 Q. But getting to more practical terms, do  
24 you have -- I know what you testified to, but I'm

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1 trying to put this in a bow now.  
2 Is it your opinion that McFadden,  
3 something was wrong with him, or that he messed up  
4 or that the car was broken? In your opinion, what  
5 caused this accident?  
6 A. In my opinion, and in what I observed  
7 is that something was going on with him, and  
8 that's all I can say. I don't know what. And I'm  
9 not saying that he messed up, nothing about the  
10 car, nothing. There was something that occurred  
11 with him.  
12 Q. And other than the leaning and the  
13 accelerating, there is nothing --  
14 A. And that's what I'm basing it on  
15 because we were having an okay discussion when we  
16 talked. There was nothing that he said out of the  
17 ordinary, you know, that I thought was screwy or  
18 anything like that, no.  
19 Q. Anything else unusual or screwy, as you  
20 put it, other than what you've already described  
21 in terms of McFadden's actions that day?  
22 A. No.  
23 Q. When McFadden began to accelerate, was  
24 he accelerating in a direct straight line as if

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1 staying within the lane, or was he deviating to  
2 one side or the other outside the lane?  
3 A. From what I can recall, it seems to me  
4 that the car pulled to the right. It seems like  
5 it started going to the right. Now, I don't know  
6 if that's accurate or not. That's just kind of  
7 what I'm feeling right now, as I think about it,  
8 that it pulled to the right. That's what it  
9 seemed to be, and if I looked up and I saw -- I  
10 did see a pole. I saw the pole, but I don't know  
11 if there were any other cars. I don't know.  
12 Q. The pole, do you know where it was  
13 positioned in relation to the roadway? I mean,  
14 was it on a --  
15 A. I don't know.  
16 Q. -- pole to the right side of the car,  
17 to the best of your memory or knowledge?  
18 A. I don't know that either. I did not  
19 see any of the scene. I was in the cab, the tarp  
20 was put over me, and then I was pulled out and  
21 went to the ambulance, so I did not see anything.  
22 Other than I do remember a woman standing, as I  
23 say, I saw one woman, and I asked the paramedic to  
24 pull my top down because it wasn't a flesh show.

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1 Q. Other than what you've already told us,  
2 do you recall anything else unusual about either  
3 McFadden's personality, the way he was acting or  
4 the way he was driving before the accident?  
5 A. No.  
6 Q. Now, I'm going to start hopping around  
7 the salary. You said that you didn't get an  
8 increase last year.  
9 Was that due to just the economy in  
10 general, or did you relate that to this accident?  
11 A. No, I don't relate that to the  
12 accident.  
13 Q. Have you made any attempt, as you sit  
14 here today, to calculate how much money and wages  
15 you did not earn as a result of this accident?  
16 A. No, I have not.  
17 Q. When you were out in '08 after the  
18 accident -- '07 and '08, in fact, after the  
19 accident, were you still being paid as a salaried  
20 employee?  
21 A. Yes, because I used up all my sick time  
22 and all my vacation that I had saved for old age,  
23 not the vacation, the sick time.  
24 Q. Are you a member of a union?

27 (Pages 102 to 105)

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1 A. No.  
2 Q. Sometimes those conventions -- there's  
3 a lot of union employees, aren't there, related to  
4 conventions? Isn't that the big problem?  
5 A. That's McCormick. That's not my  
6 association. We use them, but that's McCormick  
7 Place. I work for an association, and we're  
8 non-profit.  
9 Q. How did you come to get that job, just  
10 out of curiosity?  
11 A. Well, that's an interesting thing.  
12 When I moved, I initially worked in Milwaukee for  
13 21 years, and when I got married, I moved down  
14 here and I took a year off and then I decided  
15 that -- I also looked for a job in my field, which  
16 I was a music therapist prior to coming down here.  
17 I did not find a job in my field that I liked,  
18 that I wanted, so I went to a group called Women  
19 Employed because I felt I needed to be there. I  
20 hadn't been out in the job market. I was a  
21 director when I was in Milwaukee, so I said, okay,  
22 you're on the other side of the fence. You need  
23 to learn about what the job market is and how to  
24 be interviewed.

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1 So Women Employed went through that  
2 with me, and I met Claudia at Women Employed, and  
3 Claudia had just left the American College of  
4 Surgeons, and she told me that there was a  
5 position open there, temp position. I'd have to  
6 get it on my own. But, anyway, you asked me how I  
7 got the position. So I went, I did go there, I  
8 applied for the temporary position, and I was  
9 hired. I got the job, and I believe it was August  
10 that -- No, March. My boss wrote a job  
11 description for me and hired me after all of that.  
12 Q. And this is a tough question, and I'm  
13 just trying to -- It's tough for me to ask is what  
14 I mean. Hopefully, you will understand it.  
15 A. I will.  
16 Q. Your physical condition before the  
17 accident, let's assume that it was 100 percent.  
18 A. It was not.  
19 Q. Let's assume it was 100 percent.  
20 A. Okay.  
21 Q. In other words, let's assume at the  
22 time when you got in the cab that day that it was  
23 100 percent.  
24 Where are you at now?

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1 A. I see what you're saying. I don't.  
2 think anybody is 100 percent. Where am I at now?  
3 I would say probably based on 100 percent, 70, 75.  
4 Q. Did any doctor tell you -- and I  
5 apologize if counsel asked you this, but did any  
6 doctor tell you that you might need any type of  
7 future surgery?  
8 A. No.  
9 Q. Did any doctor tell you at this point  
10 you're certainly going to need future treatment of  
11 some type?  
12 A. No.  
13 Q. Have you ever been involved in any  
14 other lawsuits?  
15 A. No.  
16 Q. Any worker's compensation claims?  
17 A. No.  
18 Q. Have you ever received any payments  
19 from Medicare?  
20 A. No.  
21 Q. Are you a Medicare beneficiary now or  
22 have you ever been?  
23 A. No, almost.  
24 Q. I assume you had healthcare coverage

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1 through your employer?  
2 A. Absolutely.  
3 Q. Who is your healthcare with?  
4 A. Blue Cross Blue Shield.  
5 Q. Is it your understanding that Blue  
6 Cross Blue Shield has paid the medical bills  
7 related to this accident?  
8 A. They haven't sent me any bills  
9 otherwise, so I think so.  
10 Q. And at this point in time, you haven't  
11 paid any monies out of your own pocket, at least  
12 for the health care treatment; is that true?  
13 A. Paid copayments, and I pay for my  
14 medication and I have paid when I needed to take  
15 the transport thing. I paid for that. What else  
16 did I pay for? Otherwise, no, I think that the  
17 health insurance is taking care of everything  
18 else, to my knowledge.  
19 Q. Other than your family doctor, are you  
20 treating with any other doctors at this point?  
21 A. Now, Dr. Weiss, I was still seeing  
22 Dr. Weiss, and he released me that day that I told  
23 you I went to him the last time. Pardon me. I  
24 don't have to go back and see him for six months.

28 (Pages 106 to 109)

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1 MR. RUDA: No other questions other  
2 than we're reserving with regard to the medical  
3 treatment.

4 MS. SCOTT: We will reserve signature.  
5 (Whereupon the deposition  
6 proceedings were concluded.)  
7  
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1 STATE OF ILLINOIS )  
2 ) SS:  
3 COUNTY OF COOK )  
4 I, Aneesha L. Williams, Certified  
5 Shorthand Reporter in and for the County of Cook,  
6 State of Illinois, do hereby certify that on the  
7 25th day of February, 2010, the deposition of  
8 witness, ROSE M. WASHINGTON-SANDERS, called by the  
9 Defendants, was taken before me, reported  
10 stenographically and was thereafter reduced to  
11 typewriting through computer-aided transcription.

12 The said witness, ROSE M.  
13 WASHINGTON-SANDERS, was first duly sworn to tell  
14 the truth, the whole truth, and nothing but the  
15 truth, and was then examined upon oral  
16 interrogatories.

17 I further certify that the foregoing is a  
18 true, accurate and complete record of the  
19 questions asked of and answers made by the said  
20 witness, at the time and place hereinabove  
21 referred to.

22 The signature of the witness was not  
23 waived by agreement.

24 Pursuant to Rule 207(a) of the Rules of  
the Supreme Court of Illinois, if deponent fails

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1 STATE OF ILLINOIS )  
2 ) SS:  
3 COUNTY OF COOK )  
4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - LAW DIVISION

5 ROSE M. WASHINGTON-SANDERS, )

6 Plaintiff, )

7 -vs- ) No. 07 L 013584

8 THOMAS MCFADDEN, Individually )  
9 and as an agent and/or employee )  
10 of BLUE CAB CO., INC., and )  
BLUE CAB CO., INC., an Illinois  
Corporation, )

11 Defendants. )

12 I, ROSE M. WASHINGTON-SANDERS, being first  
13 duly sworn, on oath say that I am the deponent in  
14 the aforesaid transcript of my deposition taken  
15 February 25th, 2010, consisting of pages 1 through  
16 114, whatever inclusive, taken at the aforesaid  
17 time and place and that the foregoing is a true  
18 and correct transcript of my testimony so given.

19 Corrections have been submitted  
20 No corrections have been  
21 submitted

22 ROSE M. WASHINGTON-SANDERS, Deponent

23 SUBSCRIBED AND SWORN TO  
24 before me this day  
of , A.D., 2010.

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1 to read and sign this deposition transcript within  
2 30 days or make other arrangements for reading and  
3 signing thereof, this deposition transcript may be  
4 used as fully as though signed, and the instant  
5 certificate will then evidence such failure to  
6 read and sign this deposition transcript as the  
7 reason for signature being waived.

8 The undersigned is not interested in the  
9 within case, nor of kin or counsel to any of the  
10 parties.

11 Witness my official signature as a  
12 Certified Shorthand Reporter, in and for  
13 Cook County, Illinois on this 15th day of  
14 March, 2010.  
15  
16  
17  
18

Aneesha L. Williams,  
Certified Shorthand Reporter  
License No. 084-004443

30 (Pages 114 to 117)

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